

Washington, Friday, February 25, 1955

TITLE 3—THE PRESIDENT PROCLAMATION 3081

ARMED FORCES DAY, 1955

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the armed forces of the United States have always served as an instrumentality of a free people who cherish peace and security with honorand

WHEREAS the members of the armed forces of the United States are now engaged in undertakings designed to uphold and defend the free way of life, to maintain the peace, and to ensure our national security: and

national security and
WHEREAS it is fitting and proper that
we devote one day each year to paying
special tribute to the armed forces of
the United States and all those who have
honorably served therein; and

WHEREAS it is in the public interest that on such day the armed forces of the United States give public displays and demonstrations of their teamwork and technological advancements, so that our own and other peace-loving people of the world may enlarge their understanding and appreciation of our national power for peace; and

WHEREAS it is also appropriate, to an extent consistent with security requirements, that on this occasion the armed forces of the United States open the gates of our national defense system and invite the public to visit our posts, camps, stations, bases, vessels, armories, reserve centers and other facilities:

NOW THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America and Commander in Chief of the armed forces of the United States, do hereby proclaim Saturday, May 21, 1955, as Armed Forces Day and I direct the Secretary of Defense and the Secretaries of the Army, the Navy and the Air Force, as well as the Secretary of the Treasury on behalf of the Coast Guard, to mark that day with appropriate ceremonies, to arrange for displays and demonstrations at armed forces installations, and to cooperate with civil authorities in suitable supporting activities.

I invite the Governors of the States, Territories and possessions of the United States to provide for the observance of the day in such appropriate manner as will afford an opportunity for the people of the United States to become better acquainted with their armed forces.

I also call upon my fellow citizens not only to display the flag of the United States on Armed Forces Day thus manifesting their recognition of the sacrifices and devotion to duty of the armed forces, but also to avail themselves of this opportunity to further their knowledge of our defense system and of the men and women who constitute its real strength, by attending and participating in the local observances of the day conducted by the armed forces and the civil authorities.

IN WITNESS WHEREOF I have hereunto set my hand and caused the sea of the United States of America to be affixed.

DONE at the City of Washington this twenty-first day of February in the year of our Lord nineteen hundred and fifty-five, and of the Independence of the United States of America the one hundred and seventy-ninth.

DWIGHT D. EISENHOWER

By the President:

HERBERT HOOVER, Jr., Acting Secretary of State.

[F R. Doc. 55-1725; Filed, Feb. 23, 1955 5:01 p. m.]

TITLE 6-AGRICULTURAL CREDIT

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Loans, Purchases, and Other Operations

PART 438-NAVAL STORES

SUBPART—1955 GUM NAVAL STORES PRICE SUPPORT LOAN PROGRAM

Statement with respect to the Gum Naval Stores Price Support Loan Program for the calendar year 1955, formulated by the Commodity Credit Corpo-

(Continued on p. 1173)

CONTENTS

THE	PR	ESID	ENT
-----	----	------	-----

e e	Proclamation	Page
r	Armed Forces Day 1955	1171
t	EXECUTIVE AGENCIES	
d	Agriculture Department	
-	See Commodity Credit Corpora-	
S	tion; Commodity Stabilization	
s,	Service; Rural Electrification	
-	Administration.	
of d	Civil Aeronautics Administra-	
u 1,	tion	
e.	Rules and regulations:	
ď	Standard instrument approach	
il	procedures; rescission of pro-	
	cedure for Lindberg Field, San	
-	Diego, Cal., and reinstatement	
1	of former procedure	1174
е	Civil Aeronautics Board	
	Notices:	
IS	Accident occurring near Cov-	1100
r d	ington, Ky., investigation of. Hearings, etc	1189
-	Capital Airlines, Inc.	1190
s	Frontier Airlines, Inc.	1189
_	Lifschultz Air Freight	1190
	Midet Aviation Corp., Inc	1189
	S. A. Empresa De Viacao	
	Aerea Rio Grandense	1100
	(VARIG)Proposed rule making:	1190
	Certification and approval of	
5;	imported aircraft and related	
•	products	1178
_	Commerce Department	
Т	See Civil Aeronautics Adminis-	
ı	tration; Federal Maritime	
n	Board; Foreign Commerce Bu- reau.	
r-	Commodity Credit Corporation	
-	Rules and regulations:	
	Naval stores; 1955 Gum Naval	
	Stores Price Loan Program	1171
	Commodity Stabilization Service	
	Rules and regulations:	
Œ	Sugar quotas; institution of	
مندر	proceedings	1174
~	Federal Communications Com-	
n.)-	mission	
,-	Notices:	

Seibert, Harvey E., et al., order

designating applications for

hearing on stated issues_____

1189

Page

1191

1192

1192

1191

1191

1192



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CONTENTS—Continued

Federal Maritime Board	Page
Notices:	
Ivaran Lines et al., agreements filed for approval	1188
Federal Power Commission	
Notices:	
Hearings, etc	
Gainer Gas Co. et al	1190
Panhandle Eastern Pipe Line	
Co. et al	1190
Federal Trade Commission	
Rules and regulations:	
Cluthe, Frederick and Charles	
Cluthe & Sons; cease and	
desist orger	1175

RULES AND REGULATIONS CONTENTS—Continued Fish and Wildlife Service Rules and regulations: Animals, birds and game fishes, taking of; inclusion of Nu-shagak River Drainage in Bristol Bay among areas in which commercial fishing for Dolly Varden and Lake Trout may be conducted_____ Food and Drug Administration Proposed rule making: Pesticide residues in or on raw agricultural commodities; filing of petition for establishment of tolerances for residues of aramite_____ Foreign Commerce Bureau Notices: Duhme, Adolf, et al., order temporarily denying export privileges_. Health, Education, and Welfare Department See Food and Drug Administration, Public Health Service.

Interior Department

Notices:

R

See Fish and Wildlife Service: Land Management Bureau, National Park Service.

Interstate Commerce Commission

Applications for relief:
Coal, bituminous fine, from
Illinois and Kentucky to
Gary Ind
Corn steep water from Chi-
cago and Decatur, Ill., to
Lafayette, Ind
Iron and steel articles from
the South to official terri-
tory
Less than carload volume
class rates between points
in official territory
Motor rail rates to or from
western territory
Gulf Intercoastal Conference:
application for approval of
agreement
-
Land Management Bureau

Notices:

Alaska, shorespace restoration

Transita, briorespace restoration	
order	1179
Arizona, small tract classifica-	
tion orders	1180
Colorado:	
Proposed withdrawal and res-	
ervation of lands	1180
Restoration order under Fed-	
eral Power Act and small	
tract classification	1181
Small tract classification,	
correction	1180
New Mexico; restoration order	
under Federal Power Act	1180
Oregon, proposed withdrawal	
and reservation of lands (2	
documents) 1180,	1181
ules and regulations:	
California, withdrawing public	
lands for use of Department	
of Army in connection with	
Pine Flat Dam and Reservoir	

Project_____ 1176

CONTENTS--Continued

Land Management Bureau—	Page
Continued	
Rules and regulations—Con. New Mexico reserving lands	
within Lincoln National	
Forest for use of Forest	
Service as: Administrative sites, lock-	
outs, camp grounds, and	
winter sports area	1176
Camp grounds	1176
National Park Service Proposed rule making	
Private lands subject to exclu-	
sive jurisdiction of the United	
States	1177
Post Office Department	
Notices: Assistant Postmaster General.	
Bureau of Transportation:	
amendments to delegation of	
authority with respect to	
transportation of mail and certification of related orders	
and journals	1186
Public Health Service	
Rules and regulations:	
Quarantine, foreign, vessels and aircraft subject to quarantine	
inspection, general provision,	
exempt vessels and aircraft	
subject to sanitary regula-	1175
Reclamation Bureau	1175
Notices:	
Minidoka Irrigation Project,	
Idaho availability of water	
for public lands and opening of public lands to entry	1182
Revocation orders:	1104
Colorado River Storage Proj-	
ect, ArizonaColumbia Basin Project,	1181
Washington	1181
Rural Electrification Adminis-	-102
tration	
Notices:	
Allocation of funds for loans Loan announcements (11 docu-	1187
ments) 1186	. 1187
Securities and Exchange Com-	,
mission	
Notices:	
Income Fund of Boston, Inc., filing of application	1190
smile of applications	1130
CODIFICATION GUIDE	
A numerical list of the parts of the	Code
of Federal Regulations affected by docu- published in this issue. Proposed rul	ments
opposed to final actions, are identifi	ed as
such.	
Title 3	Page
Chapter I (Proclamations)	4454
Chapter II (Executive orders)	1171
July 2, 1910 (see F R. Doc.	
55–1624)	1180
Title 6	
Chapter IV Part 438	1171
Title 7	1171
Chapter VIII.	
Part 801	1174

CODIFICATION GUIDE—Con.

Title 14	Page
Chapter I. Part 1 (proposed)	1178
Part 10 (proposed)	1178
Chapter II. Part 609	1174
Title 16	1114
Chapter I:	
Part 3	1175
Title 21	
Chapter I.	
Part 120 (proposed)	1177
Title 36)
Chapter I.	1177
Part 12 (proposed)	1177
Title 42 Chapter I.	
Part 71	1175
Title 43	
Chapter I:	
Appendix C (Public land orders)	
586 (see PLO 1072)	1176
739 (see F R. Doc. 55-1635)	1181
1067 (see F R. Doc. 55-1634)	1181
1072	1176
1073	1176
1074	1176
Title 50	
Chapter I.	44
Part 46	1177

ration and the Commodity Stabilization Service (hereinafter referred to as "CCC" and "CSS")

Sec. 438.601 Administration. 438.602 Eligible producer. 438.603 Eligible naval stores. 438.604 Eligible turpentine. 438.605 Eligible rosin. 433.606 Eligible oleoresin. 438.607 Eligible metal drums. 438.608 Availability of loans. 438,609 Rate of loan to producers. 438.610 Storage provisions. 438.611 Maturity. 438.612 Redemption. Rights of CCC upon maturity. 438.613 438.614 Disposition of proceeds upon liquidation. 438.615 Personal liability.

AUTHORITY §§ 438.601 to 438.615 issued under sec. 4, 62 Stat. 1070; 15 U. S. C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, sec. 301, 63 Stat. 1053; 15 U. S. C. 714c, 7 U. S. C. 1447.

§ 438.601 Administration. The Naval Stores Branch, Tobacco Division, CSS, will supervise the administration of the program. CCC will make a loan to the American Turpentine Farmers Association Cooperative, Valdosta, Georgia (hereinafter referred to as the "Association") under a Loan Agreement which will enable the Association in turn to make loans to eligible producers on eligible naval stores, to supervise the maintenance of the collateral in storage, to perform related field administration functions, to arrange for redemptions, and to collaborate in the liquidation of unredeemed collateral. The CSS Commodity Office, Dallas, Texas, will perform accounting and auditing functions.

§ 438.602 Eligible producer A producer will be eligible for loans if he (a) is a member of the Association under membership requirements approved by CCC (no producer who is otherwise eligible may be excluded from membership in the Association) (b) is a cooperator in the 1955 Naval Stores Conservation Program of the United States Department of Agriculture or otherwise complies with good forestry conservation practices, as established by State and Federal forestry services, as determined by the Association, (c) has made satisfactory arrangements to pay any indebtedness to the United States Department of Agriculture or any agency thereof, as evidenced by the registers of indebtedness maintained by the Agricultural Stabilization and Conservation County Offices of the United States Department of Agriculture, and (d) has executed, and has not breached his obligations under, the Producer's Marketing Agreement (ATFA Form 1-1955) or any other similar agreement.

§ 438.603 Eligible naval stores. "Eligible naval stores" are eligible turpentine, eligible rosin and the turpentine and rosin content in eligible oleoresin.

§ 438.604 Eligible turpentine. "Eligible turpentine" is gum turpentine which (a) was produced from eligible oleoresin, (b) is free and clear from all liens and encumbrances, (c) has not been theretofore pledged for a loan under this or any similar program and in which the beneficial interest is and always has been in the producer, (d) is "waterwhite" in color, (e) is free from excess resin acids, as evidenced by a total acid number of not more than 0.50, and (f) conforms as to specific gravity to Federal Specifications TT-T-801, to wit: A maximum of 0.875 and a minimum of 0.860 taken at 60 degrees over 60 degrees Fahrenheit.

§ 438.605 Eligible rosin. "Eligible rosin" is gum rosin which (a) was produced from eligible oleoresin, (b) grades "I" or better. (c) is free and clear from all liens and encumbrances. (d) has not been theretofore pledged for a loan under this or any similar program and in which the beneficial interest is and always has been in the producer, (e) is packed to the net weight approved by CCC, in eligible metal drums, (f) is transparent, (g) is free from visible foreign materials and contains no extraneous matter resulting from chemical or other treatment of the rosin, or of the oleoresin or the trees from which it came, and (h) conforms as to softening point to not less than Federal Specifications LLL-R-626, to wit: 158 degrees Fahrenheit (American Society for Testing Materials Methods No. E 28-51T) Rosin must be federally inspected and weighed or the weights checked prior to tender for loan.

§ 438.606 Eligible oleoresin. "Eligible oleoresin" is oleoresin (a) which was produced in 1955 in the United States by an eligible producer, (b) which is free and clear from all liens and encumbrances, (c) the turpentine or rosin content in which has not been theretofore pledged for a loan under this or any similar program and in which the beneficial interest

is and always has been in the producer, and (d) which will yield turpentine of the prescribed quality, and rosin of the prescribed grades and quality. When a producer's eligible oleoresin was commingled with oleoresin produced by other producers in the processing operation, the turpentine and rosin tendered for loan by the producer as representing the processed equivalent of his eligible oleoresin will be deemed to be, if otherwise eligible, eligible turpentine and eligible rosin produced by such producer.

§ 438.607 Eligible metal drums. "Eligible metal drums" are drums conforming to the specifications for metal drums approved by CCC, obtainable from and on file in the office of the Association.

§ 438.608 Availability of loans. (a) Under the Loan Agreement, CCC will make a loan to the Association for the purpose of enabling the Association to make loans available, or to make loans, to eligible producers of eligible naval stores produced in 1955. The loan to the Association will be in an amount equal to (1) the amount of the loans made by the Association to producers, (2) the administrative and operating expenses, approved by CCC, incurred by the Association in connection with making loans available and the making of loans, and the handling, preservation and sale of pledged naval stores, (3) the storage charges after naval stores are pledged. and (4) an indemnification charge to cover the assumption by CCC of the risk of loss on rosin and rosin content in oleoresin (the storage rate for turpentine includes insurance)

(b) Each producer desiring to obtain loans will execute a Producer's Marketing Agreement with the Association. Each loan will be secured by a pledge by the producer to the Association of eligible turpentine, eligible rosin, or unprocessed turpentine or rosin content in eligible oleoresin, and the Association, in turn, will pledge the same to CCC as security for the loan made by CCC to the Association. Loans on rosin will be made only on full drums thereof, and loans on the rosin content in oleoresin. only upon the equivalent of full drums thereof. No loans will be made later than December 31, 1955.

(c) Eligible naval stores will be deemed tendered for loan by the producer to the Association only when such naval stores have been (1) processed (except where unprocessed turpentine or rosin content in oleoresin is offered for loan) (2) placed in storage in the custody of an approved warehouseman who has entered into and is fully complying with a Warehouse Agreement (ATFA Form 2-1955) and (3) offered for loan on a Producer's Offer (ATFA Form 3A-1955) (the date of which, unless a first offer and dated not later than April 30, 1955, shall be not later than thirty (30) days from the date of delivery of eligible oleoresin for processing) If there are any liens or encumbrances on the naval stores offered for loan, proper waivers are required on a Lienholders' Waiver and Agreement (ATFA Form 3-1955)

§ 438.609 Rate of loan to producers. The Association will make loans to producers based on the rate of \$129.02 per naval stores production unit, comprised of fifty (50) gallons of turpentine and fourteen hundred (1400) pounds of rosin; this rate will remain fixed throughout the loan period. Initially the production unit rate of \$129.02 will be allocated to the individual commodities to provide a loan rate for turpentine of fifty cents (50¢) per gallon of 7.2 pounds in bulk, and loan rates of \$7.43 for rosin of the (average) grade WG, \$7.53 for grades X and WW and \$7.33 for grades N, M, K, and I per hundred pounds net packed in eligible metal drums. CCC reserves the right to revise such allocation of loan values between turpentine and rosin during the loan period, within the fixed production unit loan rate. The amount which the Association will lend to any producer will be determined by applying the applicable loan rates in effect for turpentine and rosin on the date of the applicable Producer's Offer to the quantities thereof tendered for loan.

§ 438.610 Storage provisions. The producer will be required to place naval stores offered for loan in storage in the custody of an approved warehouseman who has entered into and is fully complying with a Warehouse Agreement with the Association. This Agreement will be assigned by the Association to CCC. All processing charges, including the cost of the eligible metal drums for rosin. and all storage and other warehouse charges to the date of tender for loan will be borne by the producer. Storage charges accruing after the naval stores are pledged are payable by CCC, and comprise part of the loan by CCC to the Association.

§ 438.611 Maturity. The loan made by CCC to the Association and the loans made by the Association to producers will be due and payable upon demand, or on July 1, 1956, whichever is earlier.

§ 438.612 Redemption. (a) Subject to terms and conditions of the Producer's Marketing Agreement, the producer may redeem pledged naval stores, prior to maturity of the loan, upon application to the Association and payment of the redemption price. The producer's right to redeem may be exercised for him and in his behalf by the Association and the producer's exercise of the right of redemption is subject to the prior exercise thereof by the Association. Subject to the terms and conditions of the Loan Agreement, the Association may redeem naval stores pledged by the Association to CCC, upon application to CCC therefor prior to the maturity of the loan and payment of the redemption price.

(b) The redemption price shall be determined by CCC and shall be the amount outstanding under the Loan Agreement, including any unpaid accrued expenses and charges, plus interest at the rate of three and one-half percent (3½%) per annum, applied to the gallons of turpentine, pounds of rosin, or the content thereof in oleoresin, respectively to be redeemed. Any naval stores redeemed shall not be thereafter eligible for loan.

§ 438.613 Rights of CCC upon maturity. CCC will have the right at any time after maturity of the loan to sell, assign, transfer and deliver the pledged naval stores, or documents evidencing title thereto, at such time, in such manner, and upon such terms and conditions as CCC may determine.

§ 438.614 Disposition of proceeds upon liquidation. CCC will apply the net proceeds from the disposition of pledged naval stores (a) towards satisfaction of accrued interest, (b) towards satisfaction of the principal amount loaned, and (c) towards the satisfaction of any other indebtedness of the Association to CCC. In the event that any sum remains after application of these amounts, such sum will be returned to the Association by CCC for disposition by the Association to its producer-member loan participants, or for and in behalf of its producer-members, on an equitable basis as determined by the Association with the approval of

§ 438.615 Personal liability. The loans will be non-recourse, except that any fraudulent representation by the producer of the Association in the loan documents, or in obtaining a loan, will render him or it subject to criminal prosecution under applicable law and personally liable for the amount by which the proceeds received upon the disposition of the pledged naval stores are less than the amount of indebtedness incurred by the Association with respect thereto.

Issued this 18th day of February 1955.

SEAL] EARL M. HUGHES,
Executive Vice President,
Commodity Credit Corporation.

[F R. Doc. 55-1670; Filed, Feb. 24, 1955; 8:52 a. m.]

TITLE 7—AGRICULTURE

Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

Subchapter A—Practice and Procedure
PART 801—SUGAR QUOTAS

INSTITUTION OF PROCEEDINGS

Basis and purpose. The amendments herein are based on the provisions of the Sugar Act of 1948, as amended (61 Stat. 922 as amended by 65 Stat. 318, 7 U.S. C. 1100) and are made for the purpose of amending § 801.3 relating to the institution of quota allotment proceedings. Prior to the adoption of these amendments notice was given (20 F R. 867) that the Secretary was considering amending the regulations in the manner herein provided, and that any interested person might express his views in writing in respect thereto. The data, views and recommendations received pursuant to the notice have been duly considered within the limits permitted by the Sugar Act of 1948, as amended.

Hearings for the allotment of the 1955 sugar quotas under the provisions of the Sugar Act of 1948, as amended, have been scheduled for the near future. In order that the amendment set forth herein

may be given effect in connection with such hearings and notices thereof, it is necessary that such amendment be made effective at the earliest possible date. Accordingly it is hereby found and determined that compliance with the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 238, 5 U. S. C. 1003) is impracticable and contrary to the public interest and the amendment contained herein shall be effective upon filing of the document with the Federal Register.

Part 801 of Title 7 of the Code of Federal Regulations is amended by deleting § 801.3 thereof and substituting in lieu thereof the following:

§ 801.3 Institution of proceedings. (a) Whenever, pursuant to a petition filed under § 801.2, or on his own initiative, the Secretary finds that the allotment of any quota or proration thereof is necessary to assure an orderly and adequate flow of sugar or liquid sugar in the channels of interstate or foreign commerce, or to prevent disorderly marketing or importation of sugar or liquid sugar, or to afford all interested persons an equitable opportunity to market sugar or liquid sugar, he shall institute a quota allotment proceeding. Such a proceeding will be instituted only upon a notice of hearing issued by the Secretary.

(b) In any proceeding instituted pursuant to paragraph (a) of this section, the notice of hearing issued and the hearing held with respect thereto shall, where the notice of hearing so states, constitute the notice of hearing and hearing upon which the Secretary may revise or amend the allotment of the quota or proration thereof for the purposes of (1) allotting any additional quota resulting from proration of area deficits, or allotting any deficit in the allotment for any allottee, and (2) substituting revised estimates of data or final actual data for estimates of such data wherever estimates are used in the formulation of an allotment of a quota.

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. n-terprets or applies sec. 205; 61 Stat. 926; 7 U. S. C. 1115)

Done at Washington, D. C., this 23d day of February 1955. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F R. Doc. 55-1722; Filed, Feb. 24, 1955; 8:58 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 131]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

RESCISSION OF PROCEDURE FOR LINDBERGH FIELD, SAN DIEGO, CALIF., AND REINSTATE-MENT OF FORMER PROCEDURE

Amendment No. 9 of the LFR standard instrument approach procedure No. 1 for San Diego, California, Lindbergh Field, was published on February 8, 1955, in 20 F R. 802, as part of amendment 127 of this part, in lieu of a notice of proposed rule making. Accordingly it is hereby rescinded and procedure No. 1, as amended by amendment No. 8, published on June 18, 1954, in 19 F R. 3611, will remain effective. The rescinded amendment will be published as a notice of proposed rule making in a subsequent issue of the Federal Register.

This amendment shall become effective upon publication in the FEDERAL REGISTER.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

[SEAL] F B. LEE,
Administrator of Civil Aeronautics.

[F R. Doc. 55-1621; Filed, Feb. 24, 1955; 8:45 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 3512]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

FREDERICH CLUTHE AND CHARLES CLUTHE & SONS

Subpart-Advertising falsely or misleadingly: § 3.25 Competitors and their products: Competitors' Products: § 3.170 Qualities or properties of product or service; § 3.205 Scientific or other relevant facts; § 3.280 Unique nature or advantages. Subpart-Disparaging competitors and their products-Competitors' products: § 3.1010 Qualities or properties. I. In connection with the offering for sale, sale, and distribution of a truss designated as the "Cluthe Truss" or any other truss of substantially the same design, style, and workmanship, in commerce, and on the part of respondent Frederick Cluthe, individually, etc., and his representatives, etc., and on the part of respondent corporation Charles Cluthe & Sons, its representatives, etc., representing, directly or indirectly. (a) That the use of such truss will prevent the intestines from passing through the rupture, unless such representation be expressly limited to reducible inguinal ruptures; (b) that the use of such truss will enable ruptured persons to engage safely in severe forms of exercise or strain, (c) that the use of such truss will seal a rupture except in the sense that, while worn, it will prevent the protrusion of the intestines through reducible inguinal ruptures; and (d) that the use of such truss will end rupture worries; and, II, in the aforesaid connection, and on the part of respondent Frederick Cluthe, individually etc., and his representatives, etc., representing, directly or indirectly (a) That such truss is a new kind of truss or invention; (b) that the use of such truss is an effective treatment for ruptures; (c) that elastic or spring trusses are not adaptable for use on the human body. (d) that such truss will fit ruptures, unless such representation is expressly limited to reducible inguinal ruptures; (e) that the use of such truss will cure a rupture; and (f) that the necessity for an operation for ruptures will be eliminated by reason of the use of such truss; prohibited.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719; 15 U. S. C. 45) [Modified cease and desist order, Frederick Cluthe t. a. Charles Cluthe & Sons; and Charles Cluthe & Sons, Bloomfield, N. J., Docket 3512, Jan. 25, 1955]

In the Matter of Frederick Cluthe, Trading as Charles Cluthe & Sons, and Charles Cluthe & Sons, a Corporation

This matter coming on to be heard upon motion of the Director, Bureau of Litigation, filed August 26, 1954, to reopen the proceeding and to modify the findings as to the facts and order to cease and desist, and upon answer filed by respondents interposing no objection to the granting of such motion, and

The Commission having duly considered the matter and having determined, for the reasons set forth in the accompanying opinion, that the request for modification of Paragraph Four of the findings as to the facts and for modification of the order to cease and desist should be granted and that the proceeding accordingly should be reopened for that purpose:

It is ordered, That said motion to reopen should be, and it hereby is, granted.

It is further ordered, That Paragraph Four of the findings as to the facts originally entered herein be modified to read as follows:

'Paragraph Four The representations thus made by the respondents are false and misleading. In truth and in fact, the use of said device (a) will not overcome rupture troubles: (b) will not fit all ruptures, but can be expected to fit most reducible inguinal ruptures: (c) will not cure ruptures; (d) will not provide an effective treatment for ruptures; (e) will not end rupture worries; (f) will not prevent the intestines from passing through all forms of ruptures, but will prevent the intestines from passing through most reducible inguinal ruptures; (g) will not enable a ruptured person to engage safely in severe forms of exercise or strain, (h) will seal a rupture only in the sense that, while worn, it will prevent the protrusion of the intestines through most reducible inguinal ruptures; (i) will not eliminate the necessity of an operation for rupture, for the reason that ruptured persons face the possibility that their ruptures may become strangulated, in which event, an operation is necessary as a life-saving measure. Elastic and spring trusses can be adapted for use on the human body '

It is further ordered, That the order to cease and desist herein be modified to read as follows:

"It is ordered, That the respondent Frederick Cluthe, individually and trading as Charles Cluthe & Sons, or under any other name or names, his representatives, agents and employees, and the respondent Charles Cluthe & Sons, a corporation, its representatives, officers, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of a truss now designated as the 'Cluthe Truss, or any

other truss of substantially the same design, style and workmanship, in commerce, as 'commerce' is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or indirectly.

"(a) That the use of such truss will prevent the intestines from passing through the rupture, unless such representation be expressly limited to reductible inguinal ruptures:

"(b) That the use of such truss will enable ruptured persons to engage safely in severe forms of exercise or strain;

"(c) That the use of such truss will seal a rupture except in the sense that, while worn, it will prevent the protrusion of the intestines through reducible inguinal ruptures;

"(d) That the use of such truss will end rupture worries.

"It is further ordered, That the respondent Frederick Cluthe, individually and trading as Charles Cluthe & Sons, or under any other name or names, his representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of a truss now designated as the 'Cluthe Truss, or any other truss of substantially the same design, style and workmanship, in commerce, as 'commerce' is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or indirectly

"(a) That such truss is a new kind of truss or invention;

"(b) That the use of such truss is an effective treatment for ruptures:

"(c) That elastic or spring trusses are not adaptable for use on the human body."

"(d) That such truss will fit ruptures, unless such representation is expressly limited to reducible inguinal ruptures;

limited to reducible inguinal ruptures;

"(e) That the use of such truss will

cure a rupture:

"(f) That the necessity for an operation for ruptures will be eliminated by reason of the use of such truss.

"It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order."

Issued: January 25, 1955.

By the Commission.

[SEAL] ROBERT M. PARRISH, Secretary.

[F R. Doc. 55-1647; Filed, Feb. 24, 1955; 8:49 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service, Department of Health, Education, and Welfare

PART 71-FOREIGN QUARANTINE

SUBPART D-VESSELS AND AIRCRAFT SUBJECT TO QUARANTINE INSPECTION

GENERAL PROVISION' EXEMPT VESSELS AND AIRCRAFT SUBJECT TO SANITARY REGULATIONS

Notice of proposed rule making, public rule making procedures and postpone-

ment of effective date have been omitted in the issuance of the following amendments to this subpart. Delay in the effective date of the amendment to § 71.46 (c) providing for the quarantine inspection of certain vessels and aircraft otherwise exempt from such inspection, has been found to be contrary to the public interest. The amendment to § 71.48 is technical in nature and imposes no new or additional restrictions.

- 1. Section 71.46 (c) is hereby amended to read as follows:
- (c) Notwithstanding the provisions of paragraph (a) (2) and (3) of this section, a vessel or aircraft having received pratique at a port under the control of the United States, or possessing a duplicate pratique from Canada or the Canal Zone:
- (1) Shall comply with any conditions and carry out any additional measures specified in the pratique; and
- (2) May be required to undergo quarantine inspection if the medical officer in charge has reason to believe that the entry of the vessel or aircraft would be likely to cause the introduction of communicable disease.
- 2. Section 71.48 is hereby amended to
- § 71.48 Exempt vessels and aircraft subject to sanitary regulations. A vessel or aircraft which has been exempted from quarantine inspection under § 71.46 or § 71.47 shall nevertheless be subject to the provisions of Subpart G of this part.

(Sec. 215, 58 Stat. 690; 42 U. S. C. 216. Interpret or apply, secs. 361-369, 58 Stat. 703-706; 42 U. S. C. 264-272)

Dated. February 17, 1955.

[SEAL]

LEONARD A. SCHEELE, Surgeon General.

Approved: February 14, 1955.

OVETA CULP HOBBY. Secretary.

[F R. Doc. 55-1640; Filed, Feb. 24, 1955; 8:48 a. m.l

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I-Bureau of Land Management, Department of the Interior

> Appendix C-Public Land Orders [Public Land Order 1072]

CALIFORNIA

WITHDRAWING PUBLIC LANDS FOR USE OF THE DEPARTMENT OF THE ARMY IN CON-NECTION WITH THE PINE FLAT DAM AND RESERVOIR PROJECT

By virtue of the authority vested in the President by the act of June 4, 1897 (30 Stat. 11, 36; 16 U.S. C. 473) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands within the Sierra National Forest are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved in addition to those withdrawn by Public Land Order No. 586 of May 20, 1949, for use in connection with the Pine Flat Dam and Reservoir Project. California, under the supervision of the Department of the Army as authorized by the act of December 22, 1944 (58 Stat. 887, 901)

MOUNT DIABLO MERIDIAN

T. 12 S., R. 24 E.

Sec. 12, SE¼SE¼, Sec. 13, E½NE¼, NE¼SE¼,

Sec. 24, NW 1/4 SW 1/4.

T. 12 S., R. 25 E., Sec. 4, SW¼SW¼, Sec. 5, SW¼SW¼, Sec. 9, NW¼SW¼, SE¼SW¼.

The areas described aggregate 360

acres.

This order shall take precedence over but not otherwise affect existing withdrawals for national forest, reclamation, and power purposes so far as they affect any of the lands.

ORME LEWIS,

Assistant Secretary of the Interior

FEBRUARY 18, 1955.

[F R. Doc. 55-1631; Filed, Feb. 24, 1955; 8:46 a. m.]

[Public Land Order /1073]

New Mexico

RESERVING LANDS WITHIN LINCOLN NA-TIONAL FOREST FOR USE OF FOREST SERVICE AS CAMP GROUNDS

By virtue of the authority vested in the President by the act of June 4, 1897 (30 Stat. 34, 36 16 U.S. C. 473) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands within the Lincoln National Forest in New Mexico are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws but not the mineral-leasing laws, and reserved for use of the Forest Service, Department of Agriculture, as camp grounds:

NEW MEXICO PRINCIPAL MERIDIAN

DEERHEAD CAMP GROUND

T. 16 S., R. 12 E.,

Sec. 5, Lot 21;

Sec. 6, Lots 23 and 24.

The area described contains 120 acres.

VISTA POINT CAMP GROUND

T. 16 S., R. 12 E.,

Sec. 6, Lot 7, SW1/4SW1/4 Lot 8.

The area described contains 50 acres. This order shall take precedence over but not otherwise affect the existing reservation of the lands for national forest purposes.

ORME LEWIS. Assistant Secretary of the Interior

FEBRUARY 18, 1955.

[F R. Doc. 55-1630; Filed, Feb. 24, 1955; 8:46 a. m.]

[Public Land Order 1074]

New Mexico

RESERVING LANDS WITHIN LINCOLN NA-TIONAL FOREST FOR USE OF FOREST SERVICE AS ADMINISTRATIVE SITES, LOOKOUTS, CAMP GROUNDS, AND WINTER SPORTS AREA

By virtue of the authority vested in the President by the act of June 4, 1897 (30 Stat. 34, 36, 16 U.S. C. 473) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, the following-described public lands within the Lincoln National Forest in New Mexico are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws but not the mineral-leasing laws, and reserved for use of the Forest Service, Department of Agriculture, as administrative sites, lookouts, camp grounds, and winter sports area.

> NEW MEXICO PRINCIPAL MERIDIAN AGUA CHIQUITA ADMINISTRATIVE SITE

T. 17 S., R. 13 E., Sec. 32, N1/2 SE1/4 Sec. 33, NW 1/4 SW 1/4.

The area described contains 121.25 acres.

ALAMO PEAK LOOKOUT

T. 16 S., R. 12 E., Sec. 34, SW 1/4 NW 1/4.

The area described contains 40 acres. BLUEWATER LOOKOUT

T. 18 S., R. 14 E.,

Sec. 13, E1/2NW1/4SW1/4, W1/2NE1/4SW1/4.

The area described contains 40 acres. CEDAR CREEK WINTER SPORTS AREA

T. 11 S., R. 13 E.

Sec. 7, E1/2 SW1/4.

The area described contains 80 acres. DARK CANYON LOOKOUT

T. 25 S., R. 22 E.,

Sec. 31, S1/2NE1/4SW1/4, N1/2SE1/4SW1/4.

The area described contains 40 acres. JAMES CANYON CAMP GROUND

T. 16 S., R. 14 E.,

Sec. 22, SW1/4NW1/4, NW1/4SW1/4.

The area described contains 80 acres. KARR CANYON FOREST CAMP

Sec. 22, NW1/4SW1/4, SW1/4NW1/4.

The area described contains 80 acres. MAYHILL ADMINISTRATIVE SITE

T. 16 S., R. 14 E.,

Sec. 13, SW1/4,

Sec. 14, E1/2 SE1/4

Sec. 23, E1/2 NE1/2 Sec. 24, NW 1/4 NW 1/4.

The area described contains 360 acres. MAYHILL LOOKOUT TOWER

T. 16 S., R. 14 E.,

Sec. 16, NE 1/4 NE 1/4.

The area described contains 40 acres.

MESA ADMINISTRATIVE SITE

T. 9 S., R. 13 E., Sec. 20, N½NE¼.

The area described contains 80 acres.

MONJEAU LOOKOUT

T. 10 S., R. 12 E., Sec. 24, NE¹/₄.

The area described contains 160 acres.

NEW CARRISSA LOOKOUT TOWER

T. 19 S., R. 13 E., Sec. 4, S½ SE¼ SW¼, Sec. 9, N½ NE¼ NW¼.

The area described contains 40 acres.

T. 9 S., R. 13 E., Sec. 16, N½NW¼.

The area described contains 80 acres.
RUIDOSO ADMINISTRATIVE SITE

T. 11 S., R. 13 E., Sec. 16, all,

The area described contains 640 acres.

T. 11 S., R. 13 E., Sec. 27, NW 1/4 NE 1/4.

The area described contains 40 acres. school house forest camp

T. 11 S., R. 13 E., Sec. 26, S½ SE¼.

The area described contains 80 acres.

SITTING BULL FALLS CAMP GROUND

T. 24 S., R. 22 E., Sec. 3, NW¼SW¼, Sec. 4, NE¼SE¼.

The area described contains 80 acres.

WEED LOOKOUT TOWER

T. 17 S., R. 13 E., Sec. 25, E½NE¼NE¼, T. 17 S., R. 14 E., Sec. 30, W½NW¼NW¼.

The area described contains 40 acres.

WOFFORD LOOKOUT TOWER

T. 15 S., R. 13 E., Sec. 19, SW1/4NE1/4.

The area described contains 40 acres. This order shall take precedence over but not otherwise affect the existing reservation of the lands for national forest purposes.

ORME LEWIS,
Assistant Secretary of the Interior
February 18, 1955.

[F R. Doc. 55-1629; Filed, Feb. 24, 1955; 8:46 a. m.]

TITLE 50-WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter E-Alaska Wildlife Protection

PART 46—TAKING OF ANIMALS, BIRDS AND GAME FISHES

NOTICE OF INCLUSION OF NUSHAGAK RIVER DRAINAGE IN BRISTOL BAY AMONG AREAS IN WHICH COMMERCIAL FISHING FOR DOLLY VARDEN AND LAKE TROUT MAY BE CONDUCTED

Pursuant to the authority conferred upon me by paragraph (b) of § 46.155

Methods and means, Title 50, Code of Federal Regulations, as amended February 4, 1955 (20 F R. 861) and upon recommendation of the Alaska Game Commission, I have determined that, in addition to the waters designated in said subsection, commercial fishing for Dolly Varden and Mackinaw or lake trout may be conducted during the period February 15 through April 30 in the waters of the Nushagak River drainage in Bristol Bay subject only to the

terms, conditions and restrictions set forth in subparagraphs (1) through (4) of said paragraph (b)

(Sec. 9, 43 Stat. 743, as amended; 48 U. S. C. 198)

Issued at Washington, D. C., and dated February 18, 1955.

JOHN L. FARLEY, Director

[F. R. Doc. 55-1623; Filed, Feb. 24, 1955; 8:45 a. m.]

PROPOSED RULE MAKING

CATION, AND WELFARE 1952 ed., sec. 1003) and the authority contained in section 3 of the act of August 25, 1916 (39 Stet 535; 16 II S. C.

Food and Drug Administration [21 CFR Part 120]

PESTICIDE RESIDUES IN OR ON RAW AGRICULTURAL COMMODITIES

NOTICE OF FILING OF PETITION FOR ESTAB-LISHMENT OF TOLERANCES FOR RESIDUES OF 2-(p-TERT-BUTYLPHENOXY)-ISOPRO-PYL-2-CHLOROETHYL SULFITE

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act, as amended (sec. 408 (d) (1) 68 Stat. 512; 21 U. S. C. 348 (d) (1)) the following notice is issued:

A petition has been filed by United States Rubber Company New York, New York, for the establishment of the following tolerances for residues of $2-(\rho-tert-butylphenoxy)$ - isopropyl-2-chloroethyl sulfite, a miticide commonly called Aramite:

1. A tolerance of 2 parts per million on alfalfa, apples, blueberries, cantaloup, celery cucumbers, grapes, grapefruit, lemons, muskmelon, oranges, peaches, pears, plums, soybeans, sweet corn, tomatoes, watermelons.

2. A tolerance of 5 parts per million on green beans, raspberries, strawberries.

The analytical method proposed in the petition for the determination of residues of Aramite is the one described in the article "Microestimation of $2-(\rho-tert-Butylphenoxy)$ -Isopropyl-2-Chloroethyl Sulfite Residues," in Analytical Chemistry, volume 23, page 1835, December 1951.

Dated: February 17, 1955.

[SEAL] GEO. P LARRICK, Commissioner of Food and Drugs.

[F. R. Doc. 55-1639; Filed, Feb. 24, 1955; 8:48 a. m.]

DEPARTMENT OF THE INTERIOR

National Park Service

[36 CFR Part 12]

PRIVATE LANDS SUBJECT TO EXCLUSIVE JURISDICTION OF THE UNITED STATES

NOTICE OF PROPOSED RULEMAKING

Pursuant to section 4 (a) of the Administrative Procedure Act, approved June 11, 1946 (60 Stat. 238; 5 U. S. C.,

contained in section 3 of the act of August 25, 1916 (39 Stat. 535; 16 U. S. C., 1952 ed., sec. 3) notice is hereby given that the Secretary of the Interior intends to take the following action:

To amend Part 12, entitled Private Lands Subject to Exclusive Jurisdiction of the United States, which is applicable to Crater Lake, Glacier, Lassen Volcanic, Mesa Verde, Mount McKinley, Mount Rainier, Olympic, Rocky Mountain, Sequoia-Kings Canyon, Yellowstone, and Yosemite National Parks, in the following respect:

Part 12 is amended by adding five new sections, reading as follows:

§ 12.9 State health and safety laws. Owners of private lands, and occupants of private lands (including business establishments) in any of the national parks listed in § 12.1 shall comply with the standards concerning safety and health established, from time to time, by or pursuant to the laws of the State wherein such lands are located which would apply to such owners and occupants of private lands were the lands not located in a national park.

§ 12.10 State labor laws. Any person, firm, or corporation hiring employees in the conduct of commercial operations on privately owned lands in any of the national parks listed in § 12.1 shall comply with the standards, such as those concerning minimum wages, child labor, hours of work, and safety established, from time to time, by or pursuant to the laws of the State wherein the lands are located which would apply to the employees if such operations were not conducted in a national park.

§ 12.11 State planning, zoning, and subdivision laws. Owners of private lands, and occupants of private lands (including business establishments) in any of the national parks listed in § 12.1 shall comply with the standards concerning the development, improvement, subdivision, and use of land established, from time to time, by or pursuant to the laws of the State wherein such lands are located which would apply to such private lands were the lands not located in a national park.

§ 12.12 State forest practice laws. Any person, firm, or corporation harvesting or cutting timber on privately owned lands within any of the national parks listed in § 12.1 shall comply with

the standards concerning forest practices established, from time to time, by or pursuant to the laws of the State wherein the lands are located which would apply to the operations if they were not being conducted in a national park.

§ 12.13 Conflict with State standards. If the standards listed in §§ 12.9, 12.10, 12.11 and 12.12 and established, from time to time, by or pursuant to the laws of the State wherein private lands are located are lower than or conflict with any established by regulation of the Secretary of the Interior applicable to privately owned lands, the latter shall prevail.

CROSS REFERENCE: For regulations applicable to privately owned lands other than those contained in this part, see § 1.32 of this title.

Interested persons are hereby given an opportunity to participate in preparing the amendment for issuance as set forth above by submitting their views, data, or arguments, in writing, to the Director, National Park Service, Department of the Interior, Washington 25, D. C., within 30 days from the date of publication of this notice of intention in the daily issue of the Federal Register.

Douglas McKay, Secretary of the Interior

FEBRUARY 17, 1955.

[F R. Doc. 55-1633; Filed, Feb. 24, 1955; 8:47 a. m.]

CIVIL AERONAUTICS BOARD [14 CFR Parts 1, 10]

CERTIFICATION AND APPROVAL OF IMPORTED
AIRCRAFT AND RELATED PRODUCTS

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety Regulation, notice is hereby given that the Bureau will propose to the Board a new Part 10 and an amendment to Part 1 of the Civil Air Regulations in substance as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. In order to insure their consideration by the Board before taking further action on the proposed rules, communications must be received by March 11, 1955. Copies of such communications will be available after March 15, 1955, for examination by interested persons at the Docket Section of the Board, Room 5412, Department of Commerce Building, Washington, D. C.

At the present time the United States has in effect bilateral agreements with nine foreign countries which provide for the reciprocal recognition of certificates of-airworthiness for imported aircraft. Most of these agreements provide for the issuance of United States airworthiness certificates for aircraft imported from any of these countries, provided that the

competent authority of the exporting country issues a certificate of airworthiness for the aircraft.

These agreements were all concluded prior to the Civil Aeronautics Act of 1938, but have had little utility until fairly recently. A resurgence of civil aircraft design and manufacture since World War II, particularly in Europe, resulted in requests to the United States Government for the certification or approval of foreign manufactured aircraft and related products.

As a policy of the United States, the import of foreign manufactured aircraft and related products meeting United States levels of airworthiness has been encouraged as part of the expansion of two-way trade with friendly nations. This policy required compliance with the provisions of the applicable airworthiness parts of the Civil Air Regulations or with such other standards as would provide an equivalent level of airworthiness, regardless of the terms of the pertinent bilateral agreement.

The certification of aircraft under the bilateral agreements has caused administrative difficulties because these agreements provide only for the issuance of airworthiness certificates and not type certificates, whereas the Civil Aeronautics Act specifically requires a type certificate as a prerequisite for the issuance of an airworthiness certificate for aircraft.

The Civil Air Regulations presently make no provision for the issuance of certificates or approvals for foreign manufactured aircraft and related products in accordance with bilateral agreements. In order that these agreements can be carried out by the United States Government consistent with the Civil Aeronautics Act of 1938 and in a uniform manner with respect to all foreign manufactured aircraft and related products, certain provisions must be incorporated into the Civil Air Regulations.

It is proposed to promulgate a new Part 10 of the Civil Air Regulations which would establish rules for the issuance of type certificates for foreign aircraft and related products under the terms of reciprocal agreements with foreign countries. In addition, rules for approval of related products (engines, propellers, etc.) materials, parts, and appliances, which are manufactured in a foreign country with which the United States possesses a reciprocal agreement, would be included in new Part 10. At the same time amendments appear to be necessary to the present rules for aircraft airworthiness certification contained in Part 1 of the Civil Air Regulations.

The proposed new Part 10 and amendments to Part 1 would permit the Administrator of Civil Aeronautics to issue certificates and approvals upon certification of a foreign Government with which the United States has a reciprocal agreement that the aircraft, product, etc., meets the standards prescribed in the Civil Air Regulations for aircraft, porducts, etc., built in the United States or other standards which give the same level of airworthines. Aircraft, related products, etc., which become so certificated or approved would be required by

Part 10 to be designated as "import" and clearly labeled as such. Part 10 would also permit the Administrator of Civil Aeronautics to require any technical data respecting the foreign manufactured aircraft, related product, etc., which he might find necessary to carry out his responsibilities.

In proposing the adoption of new Part 10 it is not intended that this part contain administrative requirements for import aircraft and related products which would wholly replace the administrative requirements in Part 1. The latter are intended to be applicable except as they may be inconsistent with corresponding provisions of Part 10. For example, the requirements for identification markings, special flight permits, etc., contained in Part 1 would be equally applicable to import aircraft. Also, the requirements for production certification and for changes in type design would also be applicable, except that their application to any specific aircraft or related product would depend upon the extent of technical data made available to the Administrator.

In view of the foregoing, notice is hereby given that it is proposed to amend Part 1 and to adopt a new Part 10 of the Civil Air Regulations as follows:

- 1. By amending § 1.66 by adding the following sentence at the end thereof "This provision shall also apply to import aircraft certificated in accordance with Part 10 of this chapter and § 1.67 (c)"
- 2. By amending § 1.67 by deleting from the introductory sentence the words "paragraphs (a) and (b)" and inserting in lieu thereof the words "paragraphs (a) through (c)"
- 3. By amending § 1.67 by adding a new paragraph (c) to read as follows:
- § 1.67 Airworthiness certificate; requirements for issuance. * * *
- (c) Import aircraft. An applicant for the original issuance of an airworthiness certificate for an import aircraft type certificated in accordance with Part 10 of this chapter shall be issued such certificate when the government of the country where the aircraft was manufactured certifies, or the Administrator finds, that the aircraft conforms to the type design and is in a condition for safe operation.
- 4. By amending § 1.68 by adding the following sentence at the end thereof. "This section shall also apply to import aircraft certificated in accordance with Part 10 of this chapter and § 1.69."
- 5. By adopting new Part 10 to read as follows:
- PART 10—CERTIFICATION AND APPROVAL OF IMPORTED AIRCRAFT AND RELATED PROD-UCTS

APPLICABILITY AND DEFINITIONS

§ 10.0 Applicability of this part. This part establishes administrative requirements for the issuance of type and airworthiness certificates for aircraft, of type certificates and approvals for related products, and of approvals for materials, parts, and appliances, when such aircraft, product, material, part, or appliance is manufactured in a foreign

country with which the United States has concluded an agreement concerning the acceptance thereof for the purpose of export and import.

§ 10.1 Definitions. As used in this part, terms are defined as follows:

(a) Administration—(1) Administrator The Administrator is the Administrator of Civil Aeronautics.

(2) Approved. Approved, when used alone or as modifying terms such as means, devices, specifications, etc., shall mean approved by the Administrator.

(b) Design—(1) Aircraft. An aircraft means any contrivance now known or hereafter invented, used, or designed for navigation of or flight in the air.

(2) Aircraft engine. An aircraft engine means an engine used, or intended to be used, for propulsion of aircraft and includes all parts, appurtenances, and accessories thereof other than propellers.

Appliances means (3) Appliances. instruments. equipment, apparatus, parts, appurtenances, or accessories, of whatever description, which are used, or are capable of being or intended to be used, in the navigation, operation, or control of aircraft in flight (including parachutes and including communication equipment and any other mechanism or mechanisms installed in or attached to aircraft during flight) and which are not a part or parts of aircraft, aircraft engines, or propellers.

(4) Product. The term product, as used in this part, means:

(i) An aircraft:

(ii) An aircraft engine:

(iii) A propeller or

(iv) Any appliance specified in the Civil Air Regulations as eligible for a type certificate.

(5) Propeller A propeller includes all parts, appurtenances, and accessories thereof.

TYPE CERTIFICATES

§ 10.10 Eligibility. A product which is manufactured in a foreign country

with which the United States has concluded an agreement concerning the acceptance thereof for the purpose of export and import, is eligible for the issuance of a type certificate under this part. The application for a type certificate for a specified product shall be made upon a form and in a manner prescribed by the Administrator.

§ 10.11 Requirements for issuance. A type certificate for a product shall be issued to an applicant when the Government of the country in which the product was manufactured certifies that the product has been examined, tested, and found to comply with either paragraph (a) or (b) of this section.

(a) The airworthiness requirements

(a) The airworthiness requirements prescribed in the Civil Air Regulations applicable to the product involved.¹

(b) The applicable airworthiness requirements of the Government of the country in which it was manufactured together with such other requirements as may be prescribed by the Administrator to provide a level of safety equivalent to the requirements prescribed in paragraph (a) of this section.

AIRWORTHINESS CERTIFICATES AND OTHER APPROVALS

§ 10.20 Arrworthmess certificates. The requirements for the original issuance of airworthiness certificates for aircraft shall be in accordance with § 1.67 (c) of this chapter.

§ 10.21 Approval of materials, parts, and appliances. (a) Materials, parts, and appliances manufactured in a foreign country shall be approved upon a basis and in a manner found necessary by the Administrator to implement the pertinent provisions of the Civil Air Regulations. The Administrator may adopt and publish such specifications as he finds necessary to administer this regulation, and shall incorporate therein such portions of the aviation industry Federal, and military specifications respecting such materials, parts, and appliances as he finds appropriate.

Note: The provisions of this paragraph are intended to allow approval of materials, parts, and appliances under the system of Technical Standard Orders, or in conjunction with type certification procedures for an aircraft, or by any other form of approval by the Administrator.

(b) Any material, part, or appliance shall be deemed to have met the requirements for approval when it meets the pertinent specifications adopted by the Administrator, and the Government of the country of manufacture so certifies in a manner prescribed by the Administrator.

APPLICABLE REQUIREMENTS

§ 10.30 Designation. All aircraft, products, materials, parts, and appliances certificated or approved in accordance with this part shall be designated as "import" and clearly labeled as such.

§ 10.31 Data required. Such technical data respecting the aircraft, product, material, part, and appliance, for which certification or approval is sought, shall be submitted as the Administrator finds necessary.

These amendments are proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended. The proposals may be changed in the light of comments received in response to this notice of proposed rule making.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601, 603, 1102, 52 Stat. 1007, 1009, 1026, as amended; 49 U. S. C. 551, 553, 672. Arrangement between the United States of America and Great Britain effective October 17, 1934 on reciprocal recognition of certificates of airworthiness for Import Air craft, Executive Agreement Series Number 69)

Dated. February 21, 1955, at Washington, D. C.

By the Bureau of Safety Regulation.

[SEAL] JOHN M. CHAMBERLAIN,
Director

[F R. Doc. 55-1672; Filed, Feb. 24, 1955; 8:53 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

Alaska

SHORESPACE RESTORATION ORDER NO. 523

FEBRUARY 18, 1955.

By virtue of the authority contained in the act of June 5, 1920 (41 Stat. 1059 48 U. S. C. 372) and pursuant to section 2.22 (a) (3) of Order No. 1, Bureau of Land Management, Area 4, approved by the Acting Secretary of the Interior, August 20, 1951 (16 F R. 8625), it is ordered as follows:

Subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable law, and the 91-day preference right filing period for veterans, and other qualified persons en-

titled to preference under the act of September 27, 1944 (58 Stat. 747 43 U.S. C. 279-284) as amended, the 80-rod shorespace reserves created under the act of May 14, 1898 (30 Stat. 409) as amended by the act of March 3, 1903 (32 Stat. 1028; 48 U.S. C. 371) as they exist now or as they may hereafter be created by the initiation of claims under the public land laws, are hereby revoked insofar as applicable to the following described lands, effective at 10:00 a. m. on the 21st day after the date of this order.

¹ Separate airworthiness requirements are effective for various categories of aircraft, for aircraft engines, and for propellers in different parts of the Civil Air Regulations. When any one part is applicable all provisions therein including the administrative provisions are applicable.

ANCHORAGE LAND DISTRICT

SEWARD MERIDIAN

A tract of land located about 8 miles south of Ketchikan in the Mountain Point area on George Inlet, more particularly described as follows:

U. S. Survey 3277, containing 0.14 acres. (Application under the Homesite Act by Walter B. Chapman, Anchorage 021904.)

A tract of land located ¾ mile northwest of Hope on the south shore of Turnagain Arm, more particularly described as follows:

Lot 3 of U. S. Survey No. 2757 containing 3.21 acres. (Application under the Homesite Act by Mrs. Harry V. Johnson, Anchorage 027635.)

A tract of land located on the left bank of Kenai River on south side of Kenai Lake % mile east of Cooper Landing, more particularly described as follows:

Lot 9 of U. S. Survey 2525, containing 4.24 acres. (Application under the Homesite Act by Esther L. Deegan, Anchorage 027733.)

A tract of land lying on the west side of Woody Island near Kodiak Island on St. Paul Harbor, more particularly described as follows:

Commencing at corner No. 1 of U.S. Survey No. 484, this to be known as the point of beginning; thence south 34° 57' east 2.77 ch. to corner No. 2 of said survey; thence south 54° 54' west 2.15 ch. to corner 3 of said survey; thence south 41 41' east 5.39 ch. to corner 4 of said survey; thence north 88° 10' east 2.79 ch. to corner 5 of said survey; thence in a southeasterly direction around the southwesterly shore of an unnamed lake for an approximate distance of 210 feet to corner No. 3 of U.S. Survey No. 626; thence south 37° 30' west 3.86 ch. to corner 4 of said survey; thence in a westerly direction approximately 245 feet to a point which is 110 feet south 13° 15' east from corner No. 1 of U. S. Survey No. 603; thence North 13° 15' west 110 feet to corner No. 1 of said survey; thence south 76° 45' west 2.21 ch. to corner 4 of said survey and the shores of St. Paul Harbor; thence northwesterly, northerly and northeasterly following the shores of St. Paul Harbor for an approximate distance of 14 ch. to corner 1 of U. S. Survey No. 484 and the point of beginning. It is intended to describe approximately 5 acres.

LOWELL M. PUCKETT,

Area Administrator

[F R. Doc. 55-1626; Filed, Feb. 24, 1955; 8:45 a. m.]

[Doc. 26]

ARIZONA

SMALL TRACT CLASSIFICATION ORDERS NOS. 29 AND 30, AMENDED

FEBRUARY 16, 1955.

1. Pursuant to authority delegated to the State Supervisor by section 2.5 of Redelegation Order No. 541, dated April 21, 1954 (19 F R. 2473) by the Director, Bureau of Land Management, Documents No. 18 and No. 19, Arizona Small Tract Classification Orders No. 29 and No. 30, published December 9, 1954 (19 F R. 8108-9) are hereby amended as follows:

Document No. 18, Small Tract Classification Order No. 29, paragraph 6, second sentence to read: "Leases issued will provide an option to purchase at the appraised value of \$75.00 per tract in said Section 13, and \$100 per tract in said Section 22."

Document No. 19, Small Tract Classification Order No. 30, paragraph 6, second sentence to read: "Leases issued will provide an option to purchase at the appraised value of \$75.00 per tract in said Section 13, and \$100.00 per tract in said Sections 22 and 27."

E. I. ROWLAND, State Supervisor

[F R. Doc. 55-1628; Filed, Feb. 24, 1955; 8:46 a. m.]

COLORADO

SMALL TRACT CLASSIFICATION ORDER NO. 14, CORRECTION

FEBRUARY 17, 1955.

Pursuant to the authority delegated to me by the Director, Bureau of Land Management by Order No. 541, section

2.5, Small Tract Classification Order No. 14, dated February 2, 1955, is corrected as follows:

- 1. In paragraph 3, the third sentence should read "fifteen applications were filed * * *" rather than "fifteen applications were led * * *"
- 2. In paragraph 10, the legal description of tract reference No. 8 should be corrected to read "E½NW¼NW¼NE¼ NW¼" rather than "E½NW¼NE¼ NE¼ NE¼NW¾."

MAX CAPLAN, State Supervisor

[F R. Doc. 55-1625; Filed, Feb. 24, 1955; 8:45 a. m.]

COLORADO

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

The Atomic Energy Commission has filed an application dated December 15, 1954, supplemental to Serial No. Colo. 07761, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws including the mining laws and the mineral leasing laws.

The applicant desires the land for the use of the Atomic Energy Commission as a site for the installation of a V H. F. relay booster station.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the Federal Register. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO T. 43 N., R. 19 W

Sec. 36: $W\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}SE\frac{1}{4}$. 5 acres.

MAX CAPLAN, State Supervisor

FEBRUARY 17, 1955.

[F R. Doc. 55-1627; Filed, Feb. 24, 1955; 8:45 a. m.]

NEW MEXICO

RESTORATION ORDER UNDER FEDERAL POWER ACT

FEBRUARY 14, 1955.

Pursuant to Determination DA-43-New Mexico of the Federal Power Commission and in accordance with Order No. 541, section 2.5, of the Director, Bureau of Land Management, approved April 21, 1954, 19 F R. 2473, it is ordered as follows:

The lands hereinafter described, so far as they are withdrawn and reserved for power purposes, are hereby restored to disposition under the public land laws, subject to the provisions of section 24

of the Federal Power Act of June 10, 1920 (41 Stat. 1075 16 U. S. C. 818) as amended.

NEW MEXICO PRINCIPAL MERIDIAN

T. 29 N., R. 12 W., Sec. 26, SW4SE4, S4SW4, Sec. 35, NW4NW4.

The lands described aggregate 160 acres.

The subject lands are located about 7 miles east of Farmington, New Mexico, and are included in Temporary Power Site Reserve No. 59 created November 18, 1909, and made permanent by Executive Order of July 2, 1910. The NW1/4 NW1/4 Sec. 35 and a part of the SW1/4 SW 1/4 Sec. 26 are situated in the bed of the San Juan River. The remaining lands are rough and broken, severely disected by gullies and a permanent stream. The soil is in part stony clay loam and in part unstable loamy sand with a high alkali content. The land is primarily suitable for grazing. It will not be subject to occupancy or disposition until it has been classified. It is unlikely that it will be classified as suitable for homestead, desert-land, or small tract use.

The lands described in this order shall be subject to application by the State of New Mexico for a period of 90 days from the date of publication of this order in the Federal Register for right-of-way for public highways or as a source of material for construction and maintenance of such highways, in accordance with and subject to the provisions of section 24 of the Federal Power Act, as amended.

This order shall not otherwise become effective to change the status of such lands until 10:30 a. m. on the 91st day after the date of publication. At that time the lands shall become subject to application, petition, location, and selection, subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable laws, and the 90-day preference-right filing period for veterans and others entitled to preference under the act of September 27, 1944 (58 Stat. 747 43 U. S. C. 279-284) as amended.

Information showing the periods during which and the conditions under which veterans and others may file applications for these lands may be obtained on request from the Manager, Land Office, Bureau of Land Management, Santa Fe, New Mexico.

E. R. SMITH, State Supervisor

[F R. Doc. 55-1624; Filed, Feb. 24, 1955; 8:45 a. m.]

OREGON

NOTICE OF PROPOSED WITHDRAWAL AND.
RESERVATION OF LANDS

FEBRUARY 17, 1955.

An application, serial number Oregon 03871, for the withdrawal from all forms of appropriation under the public land laws, including the general mining and mineral leasing laws, except oil and gas leasing of the lands described below was

filed on November 30, 1954, by Bureau of Land Management. The purposes of the proposed withdrawal: material site for road surfacing.

For a period of 30 days from the date of publication of this notice, persons having cause to object to the proposed withdrawal may present their objections in writing to the State Supervisor, Bureau of Land Management, Department of the Interior, at P O. Box 3861, 1001 N. E. Lloyd Blvd., Portland 8, Oregon. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER, either in the form of a public land order or in the form of a Notice of Determination if the application is rejected. In either case, a separate notice will be sent to each interested party of record.

The lands involved in the application

WILLAMETTE MERIDIAN, OREGON

T. 28 S., R. 8 W., Sec. 7. NE14, Lots 1, 2, 3 and 4, E1/2NW1/4, E1/2SW1/4, SE1/4.

Total area 635.94 acres.

G. H. SHARRER. State Supervisor

[F R. Doc. 55-1667; Filed, Feb. 24, 1955; 8:52 a. m.]

OREGON

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

FEBRUARY 17, 1955.

An application, serial number Oregon 03789, for the withdrawal from all forms of appropriation under the public land laws, including the general mining and mineral leasing laws except oil and gas leasing of the lands described below was filed on October 29, 1954, by Bureau of Land Management. The purposes of the proposed withdrawal. construction of a timber access road system, consisting of main line, branches and spurs.

For a period of 30 days from the date of publication of this notice persons having cause to object to the proposed withdrawal may present their objections in writing to the State Supervisor, Bureau of Land Management, Department of the Interior, at P O. Box 3861, 1001 N. E. Lloyd Blvd., Portland 8, Oregon. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose.

The determination of the Secretary on the application will be published in the Federal Register, either in the form of a public land order or in the form of

a Notice of Determination if the application is rejected. In either case, a separate notice will be sent to each interested party of record.

The lands involved in the application

WILLAMETTE MERIDIAN, OREGON

T. 28 S., R. 4 W., Sec. 13: N½, NW¼NW¼SW¼, S½NW¼ SW¼, SW¼SW¼, NW¼SE¼, S½SE¼.

Total area approximately 510 acres.

G. H. SHARRER, State Supervisor

[F R. Doc. 55-1668; Filed, Feb. 24, 1955; 8:52 a. m.]

COLORADO

RESTORATION ORDER NO. 5 (AREA III) UNDER FEDERAL POWER ACT AND SMALL TRACT CLASSIFICATION, COLORADO NO. 15

FEBRUARY 18, 1955.

Pursuant to a determination of June 6, 1950, of the Federal Power Commission, Docket No. DA-294-Colorado, and in accordance with Order No. 541, sections 1.5 (d) and 2.0 (a) of the Director of the Bureau of Land Management, approved April 21, 1954, it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, Federal Power Commission Project No. 842 is hereby revoked as to the following described lands, so far as they are withdrawn or reserved for power purposes, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075, 16 U.S. C. 818) as amended; and subject to the stipulation that if and when the lands are required wholly or in part for purposes of power development, any structure, machinery, or improvements placed thereon which interfere with such development shall be removed or relocated as may be necessary to eliminate interference with the power development without expense to the United States or its permittees or licensees, and subject to the stipulation that there is reserved to the United States, its successors or assigns, the prior right to use any and all portions of the land:

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO T. 43 N., R. 4 W., Section 15: Lot 25.

The land described above aggregates

The land is suitable for residence or business sites and is hereby classified as suitable for these purposes under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U.S. C. 682a) as amended.

The lands described shall be subject to application by the State of Colorado for a period of ninety days from the date of publication of this order in the FEDERAL REGISTER, for rights-of-way, for public highways, or as a source of material for the construction and maintenance of such highways, as provided by section 24 of the Federal Power Act, as amended.

The lands are occupied by Mrs. Montana F Smith and Mr. F C. French.

They have erected valuable improvements on the land and claim an equitable interest therein.

The above described lands released from withdrawal by this order shall not become subject to the initiation of any rights or to any disposition under the public land laws until it is so provided by an order of opening to be issued by an authorized officer opening the lands to application under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682 (a)) as amended, with a 91-day preference-right period for filing such applications by veterans of World War II and the Korean conflict and others entitled to preference.

> MAX CAPLAN, State Supervisor

[F R. Doc. 55-1632; Filed, Feb. 24, 1955; 8:47 a. m.]

Bureau of Reclamation

COLUMBIA BASIN PROJECT, WASHINGTON ORDER OF REVOCATION

NOVEMBER 18, 1952.

Pursuant to the authority delegated by Departmental Order No. 2515 of April 7, 1949 (14 F R. 1937) I hereby revoke Departmental Orders of April 26, 1937, June 27, 1941, and June 13, 1947 (as amended October 21, 1947) insofar as said orders affect the following described land. Provided, however That such revocation shall not affect the withdrawal of any other lands by said orders or affect any other orders withdrawing or reserving the land hereinafter described.

WILLAMETTE MERIDIAN, WASHINGTON

T. 19 N., R. 28 E.,

Sec. 4, Lots 3 and 4, S1/2 NW1/4 and N1/2 SW1/4. T. 20 N., R. 28 E.,

Sec. 28, All; Sec. 30, Lots 3 and 4, NE1/4 and E1/2SW1/4. Sec. 32, N½NW¼ and SE¼NW¼.

The above area aggregates 1,319.57 acres.

> ALFRED R. GOLZE, Acting Assistant Commissioner [Misc. 2034551]

> > FEBRUARY 18, 1955.

I concur. The records of the Bureau of Land Management will be noted accordingly

The lands are withdrawn by Public Land Order No. 1067 of February 9, 1955, for use of the Department of the Air Force.

W G. GUERNSEY, Associate Director Bureau of Land Management. [F. R. Doc. 55-1634; Filed, Feb. 24, 1955; 8:47 a. m.]

COLORADO RIVER STORAGE PROJECT, ARIZONA

ORDER OF REVOCATION

MAY 9, 1952.

Pursuant to the authority delegated by Departmental Order No. 2515 of April 7, 1949 (14 F R. 1937) I hereby re-

voke Departmental Order of March 14, 1929, in so far as said order affects the following described land: *Provided*, however That such revocation shall not affect the withdrawal of any other lands by said order or affect any other orders withdrawing or reserving the land hereinafter described.

GILA AND SALT RIVER MERIDIAN, ARIZONA

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T. 8 S., R. 20 W., partially unsurveyed,
  Sec. 30:
  Sec. 31;
  Sec. 32.
T. 9 S., R. 20 W.,
  Sec. 4, all;
Sec. 5, Lots 1, 2, 3, and 4, S\frac{1}{2}N\frac{1}{2}, NE\frac{1}{4}
  SE1/4, S1/2 SE1/4,
Sec. 6, All;
  Sec. 7, Lots 1, 2, 3, and 4, SE1/4.
  Sec. 8, NE¼, NE¼NW¼, S½NW¼, S½,
  Sec. 9:
  Sec. 10;
  Sec. 15;
  Sec. 16;
  Sec. 17:
  Sec. 18.
T. 8 S., R. 21W., unsurveyed,
  Sec. 13;
  Sec. 14:
  Sec. 15;
  Sec. 22:
  Sec. 23;
  Sec. 24;
  Sec. 25:
  Sec. 26:
  Sec. 27;
  Sec. 34;
  Sec. 35;
  Sec. 36.
T. 9 S., R. 21 W.,
  Sec. 1:
  Sec. 2;
  Sec. 3;
  Sec. 10;
  Sec. 11:
  Sec. 12:
  Sec. 13:
  Sec. 14;
  Sec. 15.
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The above area aggregates approximately 13,184.33 acres.

G. W LINEWEAVER, Assistant Commissioner

[Misc. 1332801]

FEBRUARY 18, 1955.

I concur. The records of the Bureau of Land Management will be noted accordingly.

Sections 27 and 34, T. 8 S., R. 21 W were withdrawn by Public Land Order No. 739 of July 28, 1951, for use of the Department of the Army in connection with the activities of the Arizona National Guard.

The remaining lands are located in the rough, rocky and barren Gila Mountains. They are of rough topography and have a rocky soil type unsuitable for cultivation. The topography and lack of edible plants make grazing value negligible.

No application for the lands may be allowed under the homestead, desertland, small tract, or any other nonmineral public-land law unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon the consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

This order shall not otherwise become effective to change the status of the described lands until 10:00 a.m. on the 35th day after the date of this order. At that time the said lands shall become subject to application, petition, location and selection, subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable laws, and the 91-day preference-right filling period for veterans and others entitled to preference under the act of September 27, 1944 (58 Stat. 747 43 U. S. C. 279-284) as amended.

Veterans' preference-right applications under the act of September 27, 1944 (58 Stat. 747 43 U. S. C. 279-284) as amended, may be filed on or before 10:00 a. m., on the 35th day after the date of this order, and those covering the same lands shall be treated as though simultaneously filed at that time. Applications filed under the act after that time and during the succeeding 91 days shall be considered in the order of filing. Applications by the general public under the public-land laws, filed on or before 10:00 a.m., on the 126th day after the date of this order shall be treated as though simultaneously filed at that time, where the applications are for the same lands; otherwise, priority of filing shall govern.

Inquiries regarding the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Phoenix, Arizona.

W G. GUERNSEY,
Associate Director
Bureau of Land Management.

[F R. Doc. 55-1635; Filed, Feb. 24, 1955; 8:47 a. m.]

[Public Notice No. 46]

MINIDOKA IRRIGATION PROJECT, IDAHO NORTH SIDE PUMPING DIVISION

PUBLIC NOTICE ANNOUNCING AVAILABILITY
OF WATER FOR PUBLIC LANDS AND OPENING
OF PUBLIC LANDS TO ENTRY

LANDS COVERED

FEBRUARY 7, 1955.

Section 1. Lands for which water will be available. Water will be available for the irrigation season of 1956 and thereafter for certain irrigible lands on the North Side Pumping Division of the Minidoka Irrigation Project, as shown on approved farm unit plats on file in the office of the Bureau of Reclamation, 11th and E Streets, Rupert, Idaho, and in the Idaho Land Office, Boise, Idaho.

Applications may be made in accordance with this notice, beginning at 2:00 p. m., February 18, 1955, for a certificate of qualification which will entitle the holder to file an application for entry on the public lands shown on the plats. In order to permit the continued orderly development and settlement of project lands, this public notice is issued irrespective of there being pending applications for exchange pursuant to the act of August 13, 1953 (67 Stat. 566) and regulations for the administration thereof.

The lands to which this notice pertains are described as follows:

This order shall not otherwise become Boise Meridian, Idaho—Public Land—Irrigation Block No. 4

TOWNSHIP 7 SOUTH, RANGE 23 EAST

Section	Farm unit	Description	Total irrigable acres
34	A	Tract A	99. 6
	TOWNS	HIIP 8 SOUTH, RANGE 23 EAST	;
1	A C	Tract A.	108.0
	Ď	Tract C	150. 5 96. 7
	E	Tract E	95. 9 93. 4
	Ĥ	Tract H	112. 5
2	B	Tract A.	105. 0 107. 9
	C	Tract C	97. 8 108. 1
	Ē G	Tract E	98. 8 116. 2
3	C	Tract C	109.0
	D D	Tract D.	111. 4 102. (
10	F	Tract F Tract A	115. 6 100. 8
10	A B	Tract B	103.7
	H H	Tract D	114. 5 98. 7
11	C E	Tract C.	90. 0 96. 3
	F	I Tract F.	103. 2
	K L	Tract L	90. 6 104. 6
12	A B	Tract A	120, 4 87, 2
	C	Tract C	1 90. 9
	P	Tract D	128. 0 92. 5
 1 3	A B	Tract A.	106. 3 146. 7
	C	Tract C	149. 1
	E	Tract E.	109. 5 127. 2
14	B	Tract B.	101. 7 108. 4
	D	Tract D	125. (
	G M N	Tract G	140. 3 96. 0
15	N A	Tract N	108. 1 114. 5
	В	Tract B.	113, 3
	C D	Tract C Tract D Tract E	115.8
22	E	Tract E.	112. 1 102. 3
24	B D	Tract A	98. 3 116. 1
	E	Tract E	121. 5
25	F A	Tract F	105. 1 103. 0
	B	Tract B	104. 9 96. 2
	Ğ	Tract G	111.3
	TOWNS	HIP 7 SOUTH, RANGE 24 EAS	r
29	A F	Tract A	118. 9 149. 4
30	Ğ	Tract G	120. 5
32	Ĥ	Tract A. Tract Ha. Tract J	113. 7 134. 8 111. 7
	TOWNS	HIP 8 SOUTH, RANGE 24 EAST	
1	В	Tract B.	1346
7	r C	Tract C	135, 2 103, 6
12	B	Tract B. Tract C.	119. 0 139. 4
19	D	l Tract D	115.3
19	D E	Tract D	96. 9 98. 1
20	F E	Tract F.	99. 6 130. 2
24	i C	Tract I	110
29	À	Tract A	103, 5 112, 2
	G	I'l'ract (+	116. 6 111. 2
30	A B	Tract A	99. 6 101. 0
	G	Tract G	108.0
	H J	Tract H	99. 7 117. 8
31	A B	Tract A	99. 1 108. 0
	Č L	Tract U	94. 3 110. 4
		Tract L	
82	K O	Tract C	95. 5 133. 4

Boise Meridian, Idaho—Public Land—Irrigation Block No. 4—Continued

TOWNSHIP 8 SOUTH, RANGE 25 EAST

Section	Farm unit	Descr ip tion	Total ırrıgable acres
6 19 20	A B D F G	Tract A	123. 3 125. 4 122. 5 105. 7 119. 8

The Reclamation law provides that the Secretary of the Interior may designate an area of land in a project which, in his judgment, should be reclaimed and put under irrigation at substantially the same time as an irrigation block. Pursuant to section 2 (k) of the Reclamation Project Act of 1939, the farm units described above are designated as Irrigation Block No. 4.

SEC. 2. Limit of acreage for which entry may be made or water secured. The public lands covered by this notice have been divided into farm units. Each of the farm units represents the acreage which, in the opinion of the Secretary of the Interior, may reasonably be required for the support of a family upon such land. The areas in the different units are fixed at the amounts shown upon the farm unit plats referred to in section 1 of this notice. The maximum acreage of land in private ownership for which application for delivery of water may be made is 160 acres of irrigable land for each landowner.

SEC. 3. Nature of preference. Except for a prior preference given applicants for exchange of farm units under the provisions of the act of August 13, 1953 (67 Stat. 566) who are hereinafter called "exchange applicants," a preference right shall be given to applications which are made by certain veterans (and in some cases by their wives, husbands, or guardians of minor children) and which are filed within 90 days after the opening of the lands. The five classes of persons who are entitled to this veterans preference are set forth in section 4 of this notice.

Therefore, except for those received from qualified exchange applicants, which shall be given prior preference, applications for farm units on public lands covered by this notice which are made by persons coming within one of the five classes listed in section 4 of this notice will be given first consideration if submitted before 2:00 p. m., May 19, 1955.

In order to be eligible to receive farm units, all applicants, other than qualified exchange applicants, whether or not entitled to veterans preference, must possess the necessary qualifications as to industry experience, character, capital and physical fitness (see section 7 of this notice) and (except for duly appointed guardians) must be qualified to make entry under the homestead laws.

SEC. 4. Persons entitled to veterans preference. The classes of persons who are entitled to the veterans preference described in section 3 of this notice are as follows:

(a) Persons, including those under 21 years of age, who have served in the Army Navy Marine Corps, Air Force, or Coast Guard of the United States for a period of at least 90 days at any time between September 16, 1940, and January 31, 1955, inclusive, and who have been honorably discharged.

(b) Persons, including those under 21 years of age, who have served in the Army Navy Marine Corps, Air Force, or Coast Guard during the period described in subsection (a) of this section, regardless of length of service, and who have been discharged on account of wounds received or disability incurred during such period in the line of duty or, subsequent to a regular discharge, have been furnished hospitalization or awarded compensation by the Government on account of such wounds or disability.

(c) The spouse of any person in either of the first two classes listed in this section, if the spouse has the consent of such person to exercise his or her preference right. (See section 8 of this notice regarding provision that a married woman must be head of a family.)

(d) The surviving spouse of any person in either of the first two classes listed in this section, or in the case of the death or marriage of such spouse, the minor child or children of such person, by a guardian duly appointed and officially accredited at the Department of the Interior.

(e) The surviving spouse of any person whose death has resulted from wounds received or disability incurred in line of duty while serving in the Army, Navy Marine Corps, Air Force, or Coast Guard during the period described in subsection (a) of this section, or in the case of the death or marriage of such spouse, the minor child or children of such person, by a guardian duly appointed and officially accredited at the Department of the Interior.

SEC. 5. Definition of honorable discharge. An honorable discharge means:

(a) Separation from the service by means of an honorable discharge or by the acceptance of resignation or a discharge under honorable conditions.

(b) Release from active duty under honorable conditions to an inactive status, whether or not in a reserve component, or retirement.

Any person who obtains an honorable discharge as herein defined shall be entitled to veterans preference even though such person thereafter resumes active military duty.

QUALIFICATIONS REQUIRED BY THE RECLAMA-TION AND HOMESTEAD LAWS

SEC. 6. Examining board. An examining board of 3 members, including the Superintendent of the Minidoka Project, who will act as secretary of the board, has been approved by the Commissioner of Reclamation to determine the qualifications and fitness of applicants to undertake the development and operation of a farm on the Minidoka Project. The board will make careful investigations to verify the statements made by applicants. Any false statement may constitute grounds for rejection of an

application, cancellation of award, or cancellation of an entry.

Sec. 7. Minimum qualifications. This section sets forth the minimum qualifications which are necessary to give reasonable assurance of success of an entryman or entrywoman on a Reclamation farm unit. Applicants, unless qualified exchange applicants, must, in the judgment of the examining board, meet these qualifications in order to be considered for entry. Failure to meet them in any single respect will be sufficient cause for rejection of an application. No credit will be given for qualifications in excess of the required minimum.

The minimum qualifications are as follows:

(a) Character and industry. An applicant must be possessed of honesty temperate habits, thrift, industry seriousness of purpose, record of good moral conduct, and a bona fide intent to engage in farming as an occupation.

(b) Farm experience. Except otherwise provided in this subsection, an applicant must have had a minimum of two years' (24 months) full-time farm experience, which shall consist of participation in actual farming operations, after attaining the age of 15 years. Time spent in agricultural courses in an accredited agricultural college or time spent in work closely associated with farming, such as teaching vocational agriculture, agricultural extension work, or field work in the production or marketing of farm products, which, in the opinion of the board, will be of value to an applicant in operating a farm, may be substituted for full-time farm experience. Such substitution shall be on the basis of one year (academic year of at least nine months) of agricultural college courses or one year (twelve months) of work closely associated with farming for six months of full-time farm experience. Not more than one year of full-time farm experience of this type will be allowed. A farm youth who actually resided and worked on a farm after attaining the age of 15 and while attending school may credit such experience as full-time experience.

Applicants who have acquired their experience on an irrigated farm will not be given preference over those whose experience was acquired on a nonirrigated farm, but all applicants must have had farm experience of such a nature, as in the judgment of the examining board, will qualify the applicants to undertake the development and operation of an irrigated farm by modern methods.

(c) *Health*. An applicant must be in such physical condition as will enable him to engage in normal farm labor.

(d) Capital. An applicant must possess assets worth at least \$4,500 in excess of liabilities. Assets must consist of cash, property or assets readily convertible into cash, or assets such as livestock, farm machinery and equipment, which, in the opinion of the board, will be useful in the development and operation of a new, irrigated farm. In considering the practical value of property which will be useful in the development of a farm, the board will not value household goods at

more than \$500 or a passenger car at more than \$500. An applicant may be required to furnish a certified financial statement showing all of his assets and all of his liabilities. (See section 15 of this notice.) Assets not useful in the development of a farm will be considered if the applicant furnishes, at the board's request, evidence of the value of the property and proof of its conversion into useful form before the issuance of a certificate of qualification.

SEC. 8. Other qualifications required. Except for qualified exchange applicants, all applicants (except guardians) must meet the requirements of the homestead laws. The homestead laws require that an entryman or entrywoman:

(a) Must be a citizen of the United States or have declared an intention to become a citizen of the United States.

- (b) Must not have exhausted the right to make homestead entry on public land. (c) Must not own more than 160 acres of land in the United States.
- (d) Must, if a married woman, or a person under 21 years of age who is not eligible for veterans preference, be the head of a family. The head of a family is ordinarily the husband, but a wife or a minor child who is obliged to assume major responsibility for the support of a family may be the head of a family Complete information concerning qualifications for homesteading may be obtained from the Idaho Land Office of the Bureau of Land Management at Boise, Idaho, or from the Director of that Bureau, Washington 25, D. C.

SEC. 9. Restriction on ownership of project lands. Applicants, other than qualified exchange applicants, for certificates of qualification must not hold or own, within any Federal Reclamation project, irrigable land for which construction charges payable to the United States have not been fully paid, except that this restriction does not apply to small tracts used exclusively for residential purposes.

Prior to the issuance of a certificate of qualification and not later than the time of the personal interview, an applicant who owns lands in a Federal Reclamation project must furnish satisfactory evidence that the total construction charges allocated against the land owned by the applicant have been paid in full.

WHERE AND HOW TO APPLY FOR A FARM UNIT

SEC. 10. Application blanks. Any person desiring to enter any of the public land farm units described in this notice must fill out the attached application blank. Additional application blanks may be obtained from the Bureau of Reclamation, Eleventh and E Streets, Rupert, Idaho; the Regional Director. Bureau of Reclamation, Boise, Idaho; or the Commission of Reclamation, Department of the Interior, Washington 25,

SEC. 11. The filing of application. An application for a certificate of qualification for a farm unit listed in this notice must be filed with the Bureau of Reclamation, Eleventh and E Streets, Rupert, Idaho, in person or by mail. No advantage will accrue to an applicant who presents an application in person.

ment records. Each application submitted, including evidence of qualification to be submitted following the public drawing, will become a part of the records of the Department of the Interior and cannot be returned to the applicant. For this reason, original discharge or citizenship papers should not be submitted. In case an applicant is awarded a farm, the copy of his discharge papers will be attached to his certificate of qualification (see section 19 of this notice) for submission to the Bureau of Land Management.

SELECTION OF QUALIFIED APPLICANTS

SEC. 13. Priority of applications. All applications, including those filed by exchange applicants, must be received prior to 2:00 p. m., May 19, 1955. All applications, except those received from exchange applicants, will be classified for priority purposes and considered in the following order:

(a) First Priority Group. All complete applications filed prior to 2:00 p. m., May 19, 1955, by applicants who claim veterans preference. All such applications will be treated as simultaneously filed.

(b) Second Priority Group. complete applications filed prior to 2:00 p. m., May 19, 1955, by applicants who do not claim veterans preference. All such applications will be treated as simultaneously filed.

(c) Third Group. All complete applications filed after 2:00 p. m., May 19, 1955. Such applications will be considered in the order in which they are filed if any farm units are available for award to applicants within this group.

SEC. 14. Public drawing. After the priority classification, the board will conduct a public drawing of the names of the applicants in the First Priority Group as defined in subsection 13 (a) of this notice. Applicants need not be present at the drawing in order to participate therein. The names of a sufficient number of applicants (not less than four times the number of farm units to be awarded) shall be drawn and numbered in the order drawn for the purpose of establishing the order in which the applications drawn will be examined by the board to determine whether the applicants meet the minimum qualifications prescribed in this notice, and to establish the priority of qualified applicants for the selection of farm units. After such drawing, the board shall notify each applicant of his respective standing as a result of the drawing.

SEC. 15. Submission of evidence of qualification. After the drawing, a sufficient number of applicants, in the order of their priority as established in the drawing, will be supplied with forms on which to submit evidence of qualification showing that they meet the qualifications set forth in sections 7 and 8 of this public notice and, in case veterans preference is claimed, establishing proof of such preference, as set forth in section 4 of this public notice. Full and accurate answers must be made to all questions. The completed form, together with any attachments required,

SEC. 12. Applications become Depart- must be mailed or delivered to the Bureau of Reclamation, 11th and E Streets, Rupert, Idaho, within 30 days of the date the form is mailed to the last known address furnished by the applicant. Failure of an applicant to furnish all of the information requested or to see that information is furnished by his references within the period specified will subject his application to rejection.

> SEC. 16. Final examination. After the information requested as outlined in section 15 of this notice has been received or the time for submitting such statements has expired, the board shall examine in the order drawn a sufficient number of applications, together with the evidence of qualification submitted, to determine the applicants to whom certificates of qualification will be issued. This examination will determine the sufficiency authenticity and reliability of the information and evidence submitted by the applicants. If the examination indicates that an applicant is qualified, the applicant may be required to appear for a personal interview with the board for the purpose of: (a) Affording the board any additional information it may desire relative to his qualifications; (b) affording the applicant any information desired relative to conditions in the area and the problems and obligations relative to development of a farm unit; and (c) affording the applicant an opportunity to examine the farm units. If the applicant fails to appear before the board for a personal interview when requested, he shall thereby forfeit his priority as established by the drawing.

> If the board finds that an applicant's qualifications fulfill the requirements prescribed in this notice, such applicant shall be notified, in person or by registered mail, that he is a qualified applicant and shall be given an opportunity to select one of the farm units then available. A certificate of qualification will not be issued to an applicant who owns more than 160 acres of land in the United States. Therefore, an applicant may be required by the examining board. prior to the issuance of a certificate of qualification, to submit evidence satisfactory to the board that he does not own more than 160 acres.

> If the applicant fails to supply any of the information required or the board finds that the applicant's qualifications do not meet the requirements prescribed in this notice, the applicant shall be disqualified and shall be notified by the board, by registered mail, of such disqualification and the reasons therefor and of the right to appeal to the Regional Director, Region 1, Bureau of Reclamation. All appeals must be re-ceived in the office of the Bureau of Reclamation, 11th and E Streets, Rupert, Idaho, within 15 days of the applicant's receipt of such notice, or in any event, within 30 days from the date the notice is mailed to the last address furnished by the applicant. The office of the Bureau of Reclamation, 11th and E Streets, Rupert, Idaho, will forward the appeals promptly to the Regional Director. The Regional Director's decision on all appeals shall be final.

SELECTION OF FARM UNITS

SEC. 17. Order of selection. The applicants who have been notified of their qualification for the award of a farm unit will successively exercise the right to select a farm unit in accordance with the priority established by the drawing. If a farm unit becomes available through failure of a qualified applicant to exercise his right of selection or failure to complete his entry filing with the Bureau of Land Management, it will be offered to the next qualified applicant who has not made a selection at the time the unit is again available. An applicant who is considered to be disqualified as a result of the personal interview will be permitted to exercise his right to select, notwithstanding his disqualification, unless he voluntarily surrenders this right in writing. If, on appeal, the action of the board in disqualifying an applicant as a result of the personal interview is reversed by the Regional Director, the applicant's selection shall be effective, but if such action of the board is upheld by the Regional Director, the farm unit selected by this applicant will become available for selection by qualified applicants who have not exercised their right to select.

If any of the farm units listed in this notice remain unselected after all qualified applicants whose names were selected in the drawing have had an opportunity to select a farm unit, and if additional applicants remain in the First Priority Group, the board will follow the same procedure outlined in section 14 of this notice in the selection of additional applicants from this group.

If any of the farm units remain unselected after all qualified applicants in the First Priority Group have had an opportunity to select a farm unit. the board will follow the same procedure to select applicants from the Second Priority Group, and they will be permitted to exercise their right to select a farm unit in the manner prescribed for the qualified applicants from the First Pri-

ority Group.

Any farm units remaining unselected after all qualified applicants in the Second Priority Group have had an opportunity to select a farm unit will be offered to applicants in the Third Group in the order in which their applications were filed, subject to the determination of the board, made in accordance with the procedure prescribed herein, that such applicants meet the minimum qualifications prescribed in this notice.

In the event, however, that a farm unit remains unentered at the expiration of two years following the date of the notice, unless the unit is withdrawn from the notice, new applications will be accepted in respect to the unit, and it shall be awarded to the first applicant who files an application after the expiration of the two-year period and who meets the qualifications prescribed by the notice, without regard to veterans preference.

SEC. 18. Failure to select. If any applicant, except a qualified exchange applicant, refuses to select a farm unit or fails to do so within the time specified by the board, such applicant shall forfeit his position in his priority group and his name shall be placed last in that

SEC. 19. Payment of charges and filing homestead applications. After each qualified applicant has advised the board of his selection of a farm unit, he shall be notified by the board of the annual construction, water rental, or other charges and shall be furnished with copies of the contracts to be executed by him as required by subsections 20 (b) and (e) of this notice. The required payment and executed contracts must be received in the office of the Bureau of Reclamation, 11th and E Streets, Rupert, Idaho, within 15 days of the receipt by the applicant of such notice Upon receipt of such and contracts. payment and of the contracts fully executed before the expiration of said 15day period, the board shall furnish each applicant, by registered mail or by delivery in person, a certificate of qualification stating that the applicant's qualifications to enter public lands have been examined and approved by the board. Such certificate must be attached by the applicant to the homestead application, which application must be filed in the Idaho Land Office, Bureau of Land Management, Boise, Idaho. Such homestead application must be filed within 15 days from the date of the receipt by the applicant of such certificate. Failure to pay annual construction, water rental, or other charges, to execute the required contracts, or to make application for homestead entry within the period specified herein will render the application subject to rejection.

SEC. 20. Repayment obligations required to be undertaken under Federal Reclamation laws—(a) Establishment of development period. Section 9 (d) (1) of the Reclamation Project Act of 1939 provides that, if, as in the case of the lands involved in this public notice, the lands are for the most part lands owned by the United States, the Secretary prior to the execution of a repayment contract, may fix a development period and provide for the delivery of water during that period to the individual landowners on the basis of annual payments in advance of delivery of water.

Pursuant to that authority the development period is hereby fixed as 10 years for the lands comprising Irrigation Block No. 4, commencing January 1, 1956, subject, however, to the right of the Secretary by a supplemental notice to shorten this period should it be determined that the full period is not justified.

(b) Repayment organization and contract. The Reclamation Project Act of 1939 requires that, as a condition precedent to the continued delivery of water after the close of the development period, the water users must form an organization, satisfactory in form and powers to the Secretary to contract with the United States to repay the reimbursable construction costs incurred and to be incurred by the United States in the construction and operation and maintenance of the North Side Pumping Division. The organization proposed for the area comprising the North Side

Pumping Division is an irrigation district to be created under the laws of the State of Idaho embracing all the lands proposed to be served by the works of the Division as authorized by the act of September 30, 1950. Before the end of the development period for Irrigation Block No. 1, the United States will request the landowners involved to organize such a district and to enter into an appropriate repayment contract with the United States in conformity with the requirements of the Federal Reclamation laws. To insure fulfillment of this requirement, each qualified applicant will be required, as a condition precedent to the issuance of a certificate of qualification, to agree to join in a petition for the creation of such a district and to include his lands in such a district when requested so to do by the United States.

(c) Charges payable during development period. (1) During the development period, a minimum amount of water will be furnished at an annual charge per irrigable acre to be paid in advance of delivery of water. The quantity of water to be delivered for the minımum charge each year will be specified by the Regional Director and water in excess of the amount to be furnished for the minimum charge will be furnished on an acre-foot basis in accordance with an ascending scale of rates. It is estimated that over the development period. charges for water will average \$8.30 per year for each irrigable acre. It is also the present plan to set a small minimum charge for the first year and to increase it each year during the development period with the object of having the charge for the last year of the development period approximately, equal to the estimated combined construction and operation and maintenance charges for the first year that construction charges are required to be paid under the repayment contract. This combined operation and maintenance and construction charge is presently estimated at \$10.60 per irrigable acre annually Charges during the development period are expected to equal operation and maintenance costs during that period and are not intended to return any of the construction costs. Prior to the execution of the repayment contract, payments required to be made during the development period will be paid by the individual water users to the United States pursuant to announcements made by the Regional Director. After the repayment contract has been executed, payments by the water users will be made to the ırrıgation districts which will in turn make payment to the United States.

(2) For the 1956 irrigation season a minimum charge of \$4.20 per irrigable acre shall be required to be paid for each irrigable acre for which water is requested except that each entryman in the block must pay this minimum charge for at least 50 percent of the irrigable acreage of his farm unit.

Water users will be furnished three acre-feet of water for each irrigable acre in their farm units for which payment of the minimum charge is made. Water, in excess of three acre-feet for

each irrigable acre, if available, will be furnished during the 1956 irrigation season at the following rates:

(3) The foregoing charges are subject to all provisions of the Federal Reclamation laws relating to collections and penalties for delinquencies.

(d) Construction charges required to be paid. After the development period has ended as to each irrigation block, the water users of the block will be required to pay in accordance with the terms of the repayment contract, an annual charge per irrigable acre to meet operation and maintenance costs and to repay to the United States that portion of the cost of construction of the North Side Pumping Division which is assigned for repayment by the water users. The repayment contract may provide for such payment over a 50-year period following the development period and the law requires that the construction charge obligation shall be distributed equally to like classes of land, both annual installments to be adjusted on the basis of crop returns, as adjusted for agricultural parity It is now estimated that a basic annual payment of \$2.30 per irrigable acre for the entire North Side Pumping Division will be sufficient to return the current estimate of the costs of the Division required to be repaid by the water users, this representing an estimated total construction charge of \$115 per irrigable acre. It is currently estimated that the average annual charge per irrigable acre for operation and maintenance will be \$8.30. This estimate includes replacements required during the repayment period and the costs of power for irrigation pumping. The figures given both as to the construction obligation and the annual operation and maintenance costs are estimates only and subject to change in terms of costs as actually incurred. These estimates of the construction and operation and maintenance charges 'and the average estimated charges for water during the development period, as set out in subsection 20 (c) (1) of this notice, are based on the assumption that power will be furnished by the Bureau under a wheeling arrangement with the Idaho Power Company on terms similar to those provided by existing contracts with the

Company. (e) Recordable contracts required. Applicants for entry of public land will be required, as a condition precedent to the issuance of a certificate of qualification, to execute and deliver a recordable contract which is intended to discourage the sale of land while it is in a development stage at prices in excess of its fair market value and to discourage speculation in such lands. Under present policies such contracts will remain in effect until the end of the fifth year after the commencement of payment of construction charges on the lands involved. As a basis for operation of such contracts. all the lands of the Division will be appraised at their fair market value without regard to increments by reason of the prospect of obtaining water, and the

contracts will provide that, in the event lands are sold at prices in excess of their appraised values, as these are revised from time to time, a portion of the excess shall be applied in payment of construction charges against the land.

GENERAL PROVISIONS

SEC. 21. Warning against unlawful settlement. No person shall be permitted to gain or exercise any right under any settlement or occupation of any of the public lands covered by this notice except under the terms and conditions prescribed by this notice.

SEC. 22. Reservation of rights of way for public roads. Rights of way along section lines and other lines shown in red on the farm unit plats described in section 1 of this notice are reserved for county state, and Federal highways and access roads to the farm units shown on said farm unit plats.

SEC. 23. Reservation of rights of way for utilities. Rights of way are reserved for Government-owned telephone, electric transmission, water and sewer lines, and water treating and pumping plants, as now constructed, and the Secretary of the Interior reserves the right to locate such other Government-owned facilities over and across the farm units above-described as hereafter, in his opinion, may be necessary for the proper construction, operation and maintenance of the said project. Existing rights of way granted by the United States are also reserved.

SEC. 24. Waiver of mineral rights. All homestead entries for the above-described farm units will be subject to the laws of the United States governing mineral land, and all homestead applicants under this notice must waive the right to the mineral content of the land, if required to do so by the Bureau of Land Management; otherwise, the homestead applications will be rejected or the homestead entry or entries canceled.

SEC. 25. Effect of relinquishment or cancellation. In the event that any entry of public land made hereunder shall be relinquished by the entryman or canceled for any cause, other than by contest, the farm unit affected by such relinquishment or cancellation shall be disposed of as follows:

(a) If the entry is relinquished or cancelled within two years after the date of the notice, such unit shall be offered without delay to the qualified applicant next in order of priority as established in the drawing who will be treated as a standing applicant therefor under this notice. Such applicant shall be required to furnish such additional information as may be necessary to satisfy the board that he is still qualified under the terms of the notice. In the event that an award cannot be made to a qualified applicant, the unit shall be offered as prescribed in subsection (b) below.

(b) If an entry is relinquished or cancelled at any time after the expiration of 2 years following the date of the notice, unless the unit is withdrawn from the notice, new applications will be accepted in respect to the unit and it

shall be awarded to the first applicant who files an application after the effective date of the relinquishment or cancellation and who meets the qualifications prescribed by the notice without regard to veterans' preference.

FRED G. AANDAHL,
Assistant Secretary of the Interior
[F. R. Doc. 55-1636; Filed, Feb. 24, 1955;
8:47 a. m.]

POST OFFICE DEPARTMENT

Assistant Postmaster General, Bureau of Transportation

AMENDMENTS TO DELEGATION OF AUTHORITY
WITH RESPECT TO TRANSPORTATION OF
MAIL AND CERTIFICATION OF RELATED
ORDERS AND JOURNALS

The following is the text of Order No. 00541 of the Assistant Postmaster General, Bureau of Transportation, dated February 9, 1955.

Paragraph (4) (B) of Order No. 00532, dated November 29, 1954, (19 F R. 8226) is amended as follows:

(1) Strike out "the handling of matters relating to the transportation of mail by mail messengers and side-mail messengers on routes involving annual pay to contractors of \$2,000 or less" and (2) Insert in lieu thereof "the handling of all matters relating to the transportation of mail by all mail messengers and side-mail messengers"

(R. S. 161, 396; secs. 304, 309, 42 Stat. 24, 25, sec. 1 (b), 63 Stat. 1066; 5 U. S. C. 22, 133z-15, 369)

[SEAL] ABE McGregor Goff
The Solicitor

[F R. Doc. 55-1641; Filed, Feb. 24, 1955; 8:49 a. m.]

DEPARTMENT OF AGRICULTURE

Rural Electrification Administration

[Administrative Order T-557]

Wisconsin

LOAN ANNOUNCEMENT

JANUARY 14, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration.

² Simultaneous allocation and loan.

[SEAL]

ANCHER NELSEN,
Administrator

[F. R. Doc. 55-1649; Filed, Feb. 24, 1955; 8:49 a. m.]

[Administrative Order T-558]

KANSAS

LOAN ANNOUNCEMENT

JANUARY 17, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as

amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration.

Loan designation: Amount The Milliken Telephone Company, Inc., Kansas 553-A.... 1\$103,000

² Simultaneous allocation and loan.

[SEAL] ANCHER NELSEN, Administrator

F. R. Doc. 55-1650; Filed, Feb. 24, 1955; 8:49 a. m.]

[Administrative Order T-559]

SOUTH DAKOTA

LOAN ANNOUNCEMENT

JANUARY 21, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount Sanborn Telephone Co-op South Dakota 520-A______1\$528,000

¹ Simultaneous allocation and loan.

[SEAL]

ANCHER NELSEN. Aammistrator

[F R. Doc. 55-1651; Filed, Feb. 24, 1955; 8:49 a. m.]

[Administrative Order T-560]

WISCONSIN

LOAN ANNOUNCEMENT

JANUARY 24, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount Thorp Telephone Comp Wisconsin 529-A_____ Telephone Company, ____ 1 \$347, 000

¹Simultaneous allocation and loan.

[SEAL]

Ancher Nelsen, Administrator

[F R. Doc. 55-1652; Filed, Feb. 24, 1955; 8:49 a. m.]

> [Administrative Order T-561] SOUTH CAROLINA

LOAN ANNOUNCEMENT

JANUARY 26, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

No. 39---3

Loan designation: Amount Sand Hills Rural Telephone Co-

operative, Inc., South Carolina 522-B______ \$314,000

[SEAL] ANCHER NELSEN.

Administrator

[F R. Doc. 55-1653; Filed, Feb. 24, 1955; 8:50 a. m.1

[Administrative Order T-562]

Iowa

LOAN ANNOUNCEMENT

JANUARY 31, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration.

Loan designation: Amount

Farragut Telephone Company, Iowa 527-A______1\$134,000

¹ Simultaneous allocation and loan.

[SEAL]

FRED H. STRONG. Acting Administrator

[F R. Doc. 55-1654; Filed, Feb. 24, 1955; 8:50 a. m.]

[Administrative Order T-563]

KANSAS

LOAN ANNOUNCEMENT

FEBRUARY 4, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration.

Loan designation:

The Sterling Telephone Company, Kansas 560-A_____ 1\$465,000

1 Simultaneous allocation and loan.

[SEAL]

ROBERT T. BEALL Acting Administrator

[F R. Doc. 55-1655; Filed, Feb. 24, 1955; 8:50 a. m.]

[Administrative Order T-564]

SOUTH CAROLINA

LOAN ANNOUNCEMENT

FEBRUARY 4, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:

Amount

St. Stephen Telephone Com-pany, South Carolina 525-A__ 1\$204,000

¹Simultaneous allocation and loan.

ROBERT T. BEALL. [SEAL] Acting Administrator

[F. R. Doc. 55-1656; Filed, Feb. 24, 1955; 8:50 a. m.]

[Administrative Order T-565]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 11, 1955.

I hereby amend:

(a) Administrative Order No. T-387, dated December 24, 1953, by rescinding the loan of \$142,000 therein made for "L & B Telephone Company—Georgia 527-A.

[SEAL]

ANCHER NELSEN, Administrator

[F R. Doc. 55-1657; Filed, Feb. 24, 1955; 8:50 a. m.]

[Administrative Order T-566]

WEST VIRGINIA

LOAN ANNOUNCEMENT

FEBRUARY 11, 1955.

Pursuant to the provisions of the Rural Electrification Act or 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:

Amount

Hardy Telephone Company, Inc., West Virginia 513-A_____ 1 \$353,000

¹ Simultaneous allocation and loan.

[SEAL]

ANCHER NELSEN. Administrator

[F R. Doc. 55-1658; Filed, Feb. 24, 1955; 8:50 a. m.]

[Administrative Order T-567]

KENTUCKY

LOAN ANNOUNCEMENT

FEBRUARY 11, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:

Amount

Mason County Telephone Com-pany, Kentucky 510-C_____ \$35,000

[SEAL]

ANCHER NELSEN. Administrator

[F R. Doc. 55-1659; Filed, Feb. 24, 1955; 8:51 a. m.]

[Administrative Order T-568]

KANSAS

LOAN ANNOUNCEMENT

FEBRUARY 14, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration.

Loan designation: Amount Richmond Dial, Inc., Kansas 555-A _______1\$137,000

¹Simultaneous allocation and loan.

[SEAL]

ROBERT T. BEALL, Acting Administrator

[F R. Doc. 55-1660; Filed, Feb. 24, 1955; 8:51 a. m.]

DEPARTMENT OF COMMERCE

Bureau of Foreign Commerce

ADOLF DUHME ET AL.

ORDER TEMPORARILY DENYING EXPORT PRIVILEGES

In the matter of: Adolf Duhme, 31 Schleifmuehle, Bremen, Germany K. Burgi-Tobler & Company, Karl Burgi, also known as Karl Burgi-Tobler, Anna Burgi-Tobler, Stampfenbachstrasse 69, Zurich, Switzerland; respondents.

Pursuant to the provisions of § 382.11 (b) of the Export Control Regulations (Title 15, Chapter III, Subchapter C, Code of Federal Regulations) the Director of the Investigation Staff of the Bureau of Foreign Commerce, United States Department of Commerce, filed with Compliance Commissioner Paul M. Greene, an ex parte application, dated December 30, 1954, requesting that the above named persons and firms (hereinafter referred to as Respondents when not referred to by name) be temporarily suspended from all United States export privileges on the ground that such temporary suspension is necessary to protect the public interest until administrative compliance proceedings now in preparation shall have been finally determined and completed.

In connection with the aforesaid application, the Compliance Commissioner requested evidence in support of said application, and considered evidence submitted to him by the Director of the Investigation Staff bearing upon the participation of said Respondents in certain transactions involving commodities exported or to be exported from the United States during the period between January 1952 and September 1953, and reached the conclusion therefrom that there is reasonable cause to believe that said Respondents have violated the United States export control law and regulations and may continue to violate the same to the detriment of the United States security and economy unless estopped at this point pending the ultimate disposition of formal charges.

The Compliance Commissioner also concluded from the evidence examined that Respondents present a continuing threat to the integrity of the export control program by their reported participation in unlawful diversions and transshipments to Soviet bloc countries of United States commodities known by Respondents to be prohibited to such countries by United States export control law and regulations. It also appeared therefrom that respondent Adolf Duhme sought to divert investigation of his aforesaid reported transshipment activities by giving false and misleading information to United States officials abroad that one of the commodities had been

sold to a Swiss Company which had not purchased or received the goods in question.

In addition to the foregoing, it appeared that Respondents have failed or refused to answer written interrogatories transmitted to them by the Bureau of Foreign Commerce in connection with their reported transshipping operations with respect to United States commodities as aforesaid and thereby have tended to impair and defeat the Bureau's right of access to facts and records concerning export transactions to which Respondents have been parties and which facts are peculiarly within the knowledge of Respondents.

The Compliance Commissioner also concluded from the evidence examined that Respondents have appeared as parties to applications for export licenses and may be parties to further exportations of commodities from the United States and that it would be contrary to the public interest to permit said Respondents to participate in any exportations from the United States until the charges now under preparation have been determined.

The Compliance Commissioner has recommended, therefore, that the aforesaid application should be granted and the order issued. Having read the Commissioner's report and recommendation, and having carefully examined the application and the evidence reviewed by him, and having concluded therefrom that temporary denial of Respondents' export privileges is reasonably necessary to protect the public interest, is justified by the record herein, and is in accord with Bureau policy, the Compliance Commissioner's recommendation is held to be fair and reasonable and is hereby adopted.

Now, therefore, it is ordered as follows: (1) The above-named Respondents, and each of them, their successors or assigns, directors, officers, partners, representatives, agents, and employees, are hereby denied all privileges of participating directly or indirectly in any manner. form or capacity in an exportation of any commodity from the United States to any foreign destination. Without limitation of the generality of the foregoing, participation in an exportation shall include and prohibit said respondents' and such other persons' and firms' participation (a) as a party or as a representative of a party to any validated export license application; (b) in the obtaining or using of any validated or general export license or other export control document; (c) in the receiving, ordering, buying, selling, using, or disposing in any foreign country of any commodities in whole or in part exported from the United States; and (d) in the financing, forwarding, transporting, or other servicing of exports from the United States.

(2) Such denial of export privileges shall apply not only to the named Respondents, but also to any person, firm, corporation, or business organization with which they, or any of them, may be now or hereafter related by ownership, control, position of responsibility, or other connection in the conduct of trade

involving exports from the United States or services connected therewith.

(3) This order shall take effect on the date appearing below and shall remain in effect until the administrative compliance proceedings now under preparation by the Bureau of Foreign Commerce against said Respondents, or any of them, shall be ultimately determined and disposed of, except insofar as this order may be hereafter extended, amended, or modified in accordance with the provisions of the export control regulations.

(4) No person, firm, corporation, or other business organization, within the United States or elsewhere, and whether or not engaged in trade relating to exports from the United States, shall, without prior disclosure of the facts to, and specific authorization from, the Bureau of Foreign Commerce, directly or indirectly in any manner, form, or capacity (a) apply for, obtain, transfer, or use any license, shipper's declaration, bill of lading, or other export control document relating to any exportation of commodities from the United States, or (b) order, receive, buy, use, dispose of, finance, transport, forward, or otherwise service or participate in an exportation from the United States, or in a reexportation of any commodity exported from the United States, with respect to which any of the persons or companies within the scope of paragraphs (1) and (2) herein above have any interest or participation of any kind or nature, direct or indirect.

(5) A certified copy of this order shall be served upon the named Respondents by registered mail.

(6) In accordance with the provisions of § 382.11 (c) of the export control regulations, the Respondents, or any of them, may move at any time prior to the entry of a final order of suspension to vacate or modify this temporary suspension order by filing an appropriate motion therefor, supported by evidence, with the Compliance Commissioner and may request oral hearing thereon, which, if requested, shall be held before the Compliance Commissioner at Washington, D. C., at the earliest possible date.

Dated: February 21, 1955.

John C. Borton,
Director
Office of Export Supply.

[F R. Doc. 55-1622; Filed, Feb. 24, 1955; 8:45 a. m.]

Federal Maritime Board

IVARAN LINES ET AL.

NOTICE OF AGREEMENTS FILED WITH THE BOARD FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended; 39 Stat. 733, 46 U. S. C. 814.

(1) Agreement No. 7859-C, between the carriers comprising the Ivaran Lines, Far East Service joint service and Waterman Steamship Corporation, provides for the cancellation of approved transhipment Agreement No. 7859, which covers the trade from the Far East to Puerto Rico, with transhipment at designated United States Pacific Coast ports.

(2) Agreement No. 8017, between Compagnie Generale Transatlantique (French Line) and Aktiebolaget Svenska Amerika Linien (Swedish American Line) provides that in the trade from United States and Canadian ports on the Great Lakes to Continental European ports in the Bordeaux/Hamburg range the parties shall furnish equivalent tonnage and maintain alternate sailings, subject to such variations and alterations as may be necessitated by cargo requirements or inducements, or by force majeure.

(3) Agreement No. 8023, between Ellerman & Papayannı Lines, Ltd., and Compagnie de Navigation Cyprien Fabre (Fabre Line) provides for the establishment and maintenance of a joint cargo service (with limited passenger accommodations) under the trade name "Ellerman Fabre Joint Service" in the trade between ports of the Great Lakes (Canadian and U. S.) St. Lawrence River. Eastern Canada, and on seas and waters adjacent to each, and ports in Portugal, Spain, on the Atlantic Coast of Morocco, and on the Mediterranean Sea including ports on seas and waters adjacent toeach, and all ports or places en route, including but not limited to, islands of the Atlantic.

Interested parties may inspect these agreements and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the Federal Register, written statements with reference to any of the agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

By order of the Federal Maritime Board.

Dated: February 21, 1955.

A. J. WILLIAMS, Secretary.

[F R. Doc. 55-1671; Filed, Feb. 24, 1955; 8:53 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 9243, 11284, 11285; FCC 55-201]

HARVEY E. SEIBERT ET AL.

ORDER DESIGNATING APPLICATIONS FOR CON-SOLIDATED HEARING ON STATED ISSUES

In the matter of: Harvey E. Seibert and Clinton D. McKinnon and the Pacific Telephone & Telegraph Company.

Applications for construction permits for coastal harbor stations at San Diego, California (File No. 10257-F1-P-C) and at San Pedro, California (File No. 11682-F1-P-C) respectively Docket No. 9243.

The Pacific Telephone & Telegraph Company application for construction permit to add transmitter to existing station KOU (File No. 13412-F1-P-G) at San Pedro, California, Docket No. 11284.

Radiomarine Corporation of America, application for construction permit for new public class II-B coast station at San Diego, California (File No. 17229-F1-P-D) Docket No. 11285.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of February 1955

The Commission having under consideration the respective applications of the Pacific Telephone & Telegraph Company (File No. 13412–F1–P-G) and Radiomarine Corporation of America (File No. 17229–F1–P-D) and the respective replies of each of these companies to the Commission's notifications issued pursuant to section 309 (b) of the Communications Act of 1934, as amended: and

It appearing that, after due consideration of the instant applications and the replies, the Commission finds that each of the applicants is legally financially and technically qualified to construct, own and operate the proposed facilities, but is unable to find that the public interest, convenience or necessity would be served by a grant of the applications since they raise issues related to the need for duplication of service and to the applications heretofore designated for hearing in Docket No. 9243

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the instant applications are designated for hearing on the following issues, in a consolidated proceeding with the applications heretofore designated for hearing in Docket No. 9243:

- 1. To determine the facts with respect to the proposed facilities, personnel, rates, regulations, practices, and services of each of the applicants.
- 2. To determine the area which will be served by each proposed facility the need for such service in each area, and the extent to which duplication of service may result from the establishment of the proposed facilities:
- 3. To determine the public benefits to be derived from such duplication of service as is shown under issue 2 and whether these benefits are sufficient to warrant the establishment of any one or more of the proposed facilities;
- 4. To determine, in the event it is found that only the applications of a single applicant should be granted, on a comparative basis which applicant will better serve the public interest, convenience or necessity and which application should be granted.

It is further ordered, That the hearing in this consolidated proceeding shall be held at 10:00 a.m. on May 2, 1955, at the offices of the Commission in Washington, D. C.

Released: February 21, 1955.

[SEAL]

Federal Communications Commission, Mary Jane Morris, Secretary.

[F R. Doc. 55-1669; Filed, Feb. 24, 1955; 8:52 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. SA-3011

ACCIDENT OCCURRING AT GREATER CINCIN-NATI AIRPORT, COVINGTON, KY.

NOTICE OF POSTPONEMENT OF HEARING

In the matter of investigation of accident involving air collision between aircraft of United States Registry N 93211 and N 999B, which occurred at Greater Cincinnati Airport, Covington, Kentucky, January 12, 1955.

Notice of hearing originally assigned to be held pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding, on Thursday February 24, 1955, at 9:00 a. m., local time, in the Sheraton Gibson Hotel, 421 Walnut Street, Cincinnati, Ohio, is hereby postponed until March 2, 1955, at the same time and place.

Dated at Washington, D. C., February 21, 1955.

[SEAL] EVERETT S. BOSWORTH,

Presiding Officer

[F R. Doc. 55-1673; Filed, Feb. 24, 1955; 8:53 a. m.]

[Docket No. 6584]

FRONTIER AIRLINES, INC., CERTIFICATE
RENEWAL CASE

NOTICE OF POSTPONEMENT OF PREHEARING CONFERENCE

In the matter of the application of Frontier Airlines, Inc. under section 401 of the Civil Aeronautics Act of 1938, as amended, and such other sections thereof as may be applicable for renewal of its certificate of public convenience and necessity designated Route 73.

Notice is hereby given that the prehearing conference in the above-entitled proceeding now assigned to be held on February 24 is postponed to March 14, 1955. This conference will be held at 10:00 a.m., e. s. t., in Room E-206, Temporary Building No. 5, Seventeenth and Constitution Avenue NW., Washington, D. C., before Examiner Ferdinand D. Moran.

Dated at Washington, D. C., February 21, 1955.

[SEAL] FRANCIS W BROWN,

Chief Examiner

[F R. Doc. 55-1677; Filed, Feb. 24, 1955; 8:54 a. m.]

[Docket No. 6743]

MIDET AVIATION CORP., INC., CERTIFICATE RENEWAL CASE

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the application of Midet Aviation Corporation, Inc., under section 401 of the Civil Aeronautics Act of 1938, as amended, and such other sections thereof as may be applicable for renewal of its certificate of public convenience and necessity designated Route 110.

Notice is hereby given that hearing in the above-entitled proceeding previously assigned to be held on March 8, 1955, is hereby postponed until April 5, 1955, at 10:00 a. m., e. s. t., in Room E-206, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Curtis C. Henderson, Hearing Examiner.

Dated at Washington, D. C., February 21, 1955.

[SEAL]

FRANCIS W BROWN, Chief Examiner

[F R. Doc. 55-1676; Filed, Feb. 24, 1955; 8:54 a. m.]

[Docket No. 6812]

LIFSCHULTZ AIR FREIGHT

NOTICE OF HEARING

In the matter of the application of Sidney B. Lifschultz, Ida Lifschultz, Bernice Brown, Rose Grossman, Nora Bergman and Estate of S. E. Lifschultz, American National Bank and Trust Company of Chicago, Executor and Trustee, a Partnership d/b/a Lifschultz Air Freight, for Board approval under sections 408 and 409 of the act for control of an air carrier by another common carrier and of certain interlocking relationships involving Lifschultz Terminal Company Inc., Lifschultz Air Freight, Sidney B. Lifschultz, Ida Lifschultz, Bernice Brown, Rose Grossman, Nora Bergman and Estate of S. E. Lifschultz, American National Bank and Trust Company of Chicago, Executor and Trustee, a Partnership d/b/a Lifschultz Air Freight.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, that hearing in the above-entitled proceeding is assigned to be held on March 10, 1955, at 10:00 a. m., e. s. t., in Room E-206, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Joseph L. Fitzmaurice.

Dated at Washington, D. C., February 21, 1955.

[SEAL]

FRANCIS W BROWN, Chief Examiner

[F R. Doc. 55-1675; Filed, Feb. 24, 1955; 8:54 a. m.]

[Docket No. 6891]

S. A. EMPRESA DE VIACAO AEREA RIO GRANDENSE (VARIG)

NOTICE OF HEARING

In the matter of the application of S. A. Empresa De Viacao Aerea Rio Grandense (VARIG) for a foreign air carrier permit authorizing applicant to provide scheduled air transportation of persons, property and mail between Rio De Janeiro and/or Manaus and/or Belem, Brazil and Washington, D. C. and/or New York, N. Y., U. S. A. via San Juan, Puerto Rico; Ciudad, Trujillo, Dominican Republic; Caracas, Venezuela, and Havana, Cuba.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, that a hearing in the above-entitled proceeding is assigned to be held March 1, 1955, at 10:00 a. m., e. s. t., in Room E-206, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Curtis C. Henderson.

Dated at Washington, D. C., February 21, 1955.

[SEAL]

FRANCIS W BROWN, Chief Examiner

[F R. Doc. 55-1674; Filed, Feb. 24, 1955; 8:53 a. m.]

[Docket No. 6997]

CAPITAL AIR LINES, INC. NORTHWEST-NEW YORK AIRWAYS RATE INVESTIGA-TION

NOTICE OF POSTPONEMENT OF PREHEARING CONFERENCE

In the matter of the complaint of Capital Airlines, Inc., as to certain passenger fares and related rules proposed jointly by Northwest Airlines and New York Airways with a request for suspension of same.

Notice is hereby given that the prehearing conference in the above-entitled proceeding now assigned for March 3 is postponed to March 14, 1955. This conference will be held at 2:00 p. m., e. s. t., in Room E-206, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Barron Fredricks.

Dated at Washington, D. C., February 21, 1955.

[SEAL]

Francis W Brown, Chief Examiner

[F R. Doc. 55-1678; Filed, Feb. 24, 1955; 8:54 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-1116, G-1152, G-1240, G-1314, G-1317, G-1344, G-1379, G-1415, G-1417, G-1457, G-1509, G-1616, G-1625, G-1659, G-1725, G-1754, G-2101]

PANHANDLE EASTERN PIPE LINE CO. ET AL.

NOTICE OF ORDER AFFIRMING INTERIM
DECISION

FEBRUARY 17, 1955.

In the matters of Panhandle Eastern Pipe Line Company Docket Nos. G-1116, G-1240, G-1317, G-1344, G-1417, G-1725, G-1754 and G-2101, City of Port Huron, City of Marysville, City of St. Clair, Michigan, Municipal corporations, Docket No. G-1152; Southeastern Michcorporations, ıgan Gas Company Docket No. G-1415 Michigan Consolidated Gas Company, Complainant, v. Panhandle Eastern Pipe Line Company, Defendant, Docket No. G-1379 Northern Indiana Fuel and Light Company, Docket Nos. G-1457 and G-2234, Missouri Central Natural Gas Company, Docket No. G-1509; The Central West Utility Company Docket No. G-1616; Michigan Gas Utilities Company, Docket No. G-1625, City of Auburn, Illinois, Docket No. G-1659.

Notice is hereby given that on January 20, 1955, the Federal Power Commission issued its order adopted January 19, 1955, affirming interim decision and order of the Presiding Examiner in the above-entitled matters.

[SEAL]

LEON M. FUQUAY, Secretary.

[F R. Doc. 55-1637; Filed, Feb. 24, 1955; 8:48 a. m.]

[Docket Nos. G-2847, G-3248, G-3592, G-3593, G-3834, G-3911, G-4037, G-4039, G-4130, G-4352, G-4444]

GAINER GAS CO. ET AL.

NOTICE OF FINDINGS AND ORDERS

FEBRUARY 17, 1955.

In the matters of Gainer Gas Company Docket No. G-2847 Proctor Sparks, Docket No. G-3248; Seatex Oil Company, Inc., Docket No. G-3592; Putnam Natural Gas Company Docket No. G-3593 Katie Thurmond Bond, Docket No. G-3834, Paul E. Kahle, Docket No. G-3811, Frank and Raymond Bixby Docket No. G-4037 Lee T. Bivins, Docket No. G-4039 Lester Davidson & Company Docket No. G-4130; Boyce Dotson et al., Docket No. G-4352; N. H. Wheless et al., Docket No. G-44444.

Notice is hereby given that on January 21, 1955, the Federal Power Commission issued its findings and orders adopted January 19, 1955, issuing certificates of public convenience and necessity in the above-entitled matters.

[SEAL]

LEON M. FUQUAY, Secretary.

[F R. Doc. 55-1638; Filed, Feb. 24, 1955; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 812-912]

INCOME FUND OF BOSTON, INC.

NOTICE OF FILING OF APPLICATION SEEKING EXEMPTION

FEBRUARY 21, 1955.

Notice is hereby given that the Income Fund of Boston, Inc. ("Applicant") a registered open-end diversified investment company, has filed an application pursuant to section 6 (c) of the Investment Company Act of 1940 ("act") for an order of the Commission exempting it, upon stipulated conditions, from the requirements of section 30 (d) of the act and Rule N-30D-1 thereunder.

Applicant is a newly formed investment company. Its principal offices are at the Old South Building, 294 Washington Street, Boston, Massachusetts. Applicant's fiscal year is fixed by its Bylaws to end on the last day of January in each year.

As at January 31, 1955, Applicant's entire assets consisted of \$2,823,219 in cash, of which \$2,823,159 represented the proceeds of the sale to the Underwriter of the Applicant of 308,542 shares of Applicant's Common Stock under a Purchase Contract dated January 15, 1955,

between such Underwriter and Applicant. Up to January 31, 1955, Applicant had made no investments, received no income and incurred no expenses or liabilities.

Pursuant to section 30 (d) of the act and Rule N-30D-1 promulgated thereunder Applicant would be required on or before March 2, 1955, to transmit to each of its stockholders a report containing all financial information with respect to its fiscal year ended January 31, 1955, specified in said Rule N-30D-1.

Applicant submits that a report to stockholders as of January 31, 1955, under the above stated circumstances could have no real significance, that such report would not be informative to its stockholders, would give no indication of the manner in which its investment policies have been carried out or reveal any operating results.

The by-laws of Applicant provide that the annual meeting of stockholders be held in every year on the first Tuesday in April, such Tuesday in the year 1955 being April 5, 1955. The by-laws further provide that in the event, for any reason, the annual meeting shall not be held, a special subsequent meeting of stockholders shall be held in lieu of and for the purposes of the annual meeting. Applicant believes that its annual meeting should not be held until significant financial statements can be circulated to its stockholders.

Applicant believes that the earliest significant financial statements which could be submitted to stockholders would be statements as at April 30, 1955, which would reflect the investment of the Applicant and its operation during its first quarter of its fiscal year.

Applicant stipulates that if the Commission will by order grant it an exemption from the transmission to its stockholders of a financial report as at January 31, 1955, it will.

(a) Transmit to its stockholders a financial report as at April 30, 1955, conforming in other respects with said Rule N-30D-1, and

(b) Hold a special meeting in lieu of the annual meeting of its stockholders on a date not later than June 15, 1955, at which meeting there will be submitted to the stockholders, among other matters, as may properly come before the meeting (i) the election of a board of directors, a treasurer and a clerk; (ii) the approval of the investment advisory contract of Applicant; (iii) the approval of the custodian agreement of Applicant; and (iv) the selection of the independent public accountants of Applicant.

Section 6 (c) of the act provides that the Commission may exempt any person from any provisions of the act or of any rules thereunder if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the act.

Notice is further given that any interested person may not later than March 2, 1955, at 12:30 p.m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that

a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communcation or request should be addressed. Secretary Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F R. Doc. 55-1698; Filed, Feb. 24, 1955; 8:55 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 30282]

MOTOR-RAIL RATES TO OR FROM WESTERN TERRITORY

APPLICATION FOR RELIEF

FEBRUARY 21, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by The Rocky Mountain Motor Freight Bureau, Inc., Agent, for the Kansas City Southern Railway Company Louislana & Arkansas Railway Company and motor carriers parties to tariffs MF I. C. C. Nos. 31, 50, 54, 60, 65, 66, and 73.

Commodities involved. Classes and commodities.

Territory Between points in western territory on the one hand, and points in Missouri and Kansas, located on the Kansas City Southern Railway on the other.

Grounds for relief. Competition with motor carriers.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, Secretary.

[F. R. Doc. 55-1661; Filed, Feb. 24, 1955; 8:51 a. m.]

[4th Sec. Application 30283]

LESS-THAN-CARLOAD VOLUME CLASS RATES
BETWEEN POINTS IN OFFICIAL TERRITORY

APPLICATION FOR RELIEF

FEBRUARY 21, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by C. W Boin, Agent, for the Pennsylvania Railroad Company and Maryland and Pennsylvania Railroad Company.

Involving: Less-than-carload volume class rates.

Territory Between points in official (including Illinois) territory.

Grounds for relief: Rail competition, circuity, competition with motor carriers, to maintain grouping, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. W Boin, Agent, I. C. C. No. A-1051.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission. in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, Secretary.

[F R. Doc. 55-1662; Filed, Feb. 24, 1955; 8:51 a. m.]

14th Sec. Application 302841

BITUMINOUS FINE COAL FROM ILLINOIS AND KENTUCKY TO GARY, IND.

APPLICATION FOR RELIEF

FEBRUARY 21, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by The Louisville and Nashville Railroad Company for itself and on behalf of carriers parties to schedule listed below

Commodities involved. Bituminous fine coal, in carloads.

From. Mines in Illinois and western Kentucky.

To: Gary Ind.

Grounds for relief: Rail competition, circuity, market competition, and to maintain grouping.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. 1224, supp. 79.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission. in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

George W Laird, Secretary.

[F R. Doc. 55-1663; Filed, Feb. 24, 1955; 8:51 a. m.]

[4th Sec. Application 30285]

IRON AND STEEL ARTICLES FROM THE SOUTH TO OFFICIAL TERRITORY

APPLICATION FOR RELIEF

FEBRUARY 21, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F C. Kratzmeir, Agent, for carriers parties to Agent C. A. Spaninger's tariffs I. C. C. Nos. 1258 and 1454, pursuant to fourth-section order No. 16101.

Commodities involved: Iron and steel articles, carloads.

From. Points in southern territory.

To: Points in official (including Illinois) territory.

Grounds for relief: Competition with rail carriers, and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W LAIRD, Secretary.

[F R. Doc. 55-1664; Filed, Feb. 24, 1955; 8:51 a. m.]

[4th Sec. Application 30286]

CORN STEEP WATER FROM CHICAGO AND DECATUR, ILL., TO LAFAYETTE, IND.

APPLICATION FOR RELIEF

FEBRUARY 21, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by H. R. Hinsch, Agent, for carriers parties to schedules listed in appendix "A" of the application, pursuant to fourth-section order No. 17220.

Commodities involved: Water, corn steep, carloads and tank-car loads,

From: Chicago and Decatur, Ill.

To: Lafayette, Ind.

Grounds for relief: Competition with rail carriers, and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is

found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, Secretary.

[F. R. Doc. 55-1665; Filed, Feb. 24, 1955; 8:52 a. m.]

[Sec. 5a Application 56]

GULF INTERCOASTAL CONFERENCE

APPLICATION FOR APPROVAL OF AGREEMENT

FEBRUARY 21, 1955.

The Commission is in receipt of the above-entitled and numbered application for approval of an agreement under the provisions of section 5a of the Interstate Commerce Act.

Filed February 17, 1955, by C. Y. Roberts, Attorney-in-Fact, c/o Gulf Intercoastal Conference, 228 St. Charles Street, New Orleans 12, La.

Agreement involved: An agreement between and among common carriers by water, members of the Gulf Intercoastal Conference, providing procedures for the joint consideration, initiation, or establishment of rates, charges, rules and regulations applicable to transportation by water between ports along the Gulf Coast and the Pacific Coast of the United States.

The complete application may be inspected at the office of the Commission in Washington, D. C.

Any interested person desiring the Commission to hold a hearing upon such application shall request the commission in writing so to do within 20 days from the date of this notice. As provided by the general rules of practice of the Commission, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, Division 2.

[SEAL] GEORGE W LAIRD, Secretary.

[F R. Doc. 55-1666; Filed, Feb. 24, 1955; 8:52 a. m.]